DEPARTMENT OF HEALTH

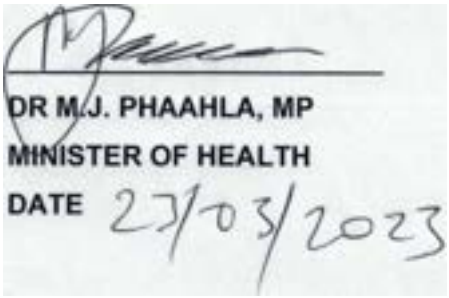
NO. R. 3337 **21 April 2023**

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

REGULATIONS RELATING TO THE LABELLING AND ADVERTISING OF FOODSTUFFS

The Minister of Health has, under section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No.54 of 1972), published for public comment the regulations set out in the Schedule hereto.

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), by email to **foodcontrol@health.gov.za** within three months of the date of publication of this Notice.



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Definitions

1. In these regulations, any expression to which a meaning has been assigned in the Act bears such meaning unless the context indicates otherwise—

"address" means a physical address and includes the street or road number and name, the name of the town, village or suburb and, in the case of a farm, the name or number of the farm and of the magisterial district in which it is situated, and, in the case of imported foodstuffs, the name and address as provided for in the Codex Alimentarius Commission's document entitled: General Standard for the Labelling of Pre-packaged Foodstuffs, CODEX STAN 1-1985;

"additive" means a substance not normally consumed as a food by itself and not normally used as a typical ingredient of the food, whether or not it has nutritive value, but which is intentionally added, for a technological (including organoleptic) purpose, to food in its manufacture, processing, preparation, treatment, packing, packaging, transport or storage, which addition causes, or may be reasonably expected to cause, (directly or indirectly) that the additive or its byproducts becomes a component of such foods, but does not include contaminants, or substances added to food for maintaining or improving nutritional qualities, sodium chloride or procession aids;

"Agricultural Product Standards Act" means the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990);

"allergen" in relation to food means a substance that causes an allergic or other adverse immune response;

"**allergen cross-contamination**" means the presence of one or more common allergen within a foodstuff, though not intentionally added to the foodstuff, as a result of the cultivation, production, manufacturing, processing, preparation, treatment, packing,

packaging, transport, or storage of such foodstuff or as a result of environmental contamination;

“allergen control programme (“ACP”)” means a programme for the identification and management of ingredients which are allergens or contain allergens and for the prevention of allergen cross-contamination at every stage of the manufacturing process, from harvesting through to packaging and retailing;

"Annexure" means an annexure to these regulations;

“artificial sweetener” for the purpose of these regulations means food additives that impart a sweet taste to a food, including artificial, non-nutritive intense sweeteners; steviol glycosides; and providing lower energy sweeteners such as polyols, but excluding mono- and disaccharides from any food ingredient;

“batch” means a group or set of identifiable products obtained from a given process under practically identical circumstances and produced in a given place within a defined production period as defined by the food business operator;

“beer” means a product of alcoholic fermentation of wort prepared from starch and sugar containing raw materials with or without the addition of potable water, flavoured with hops or hop products, produced in such a manner that at least 35 per cent of the fermentable extract of the wort is derived from malted barley or malted wheat;

“Best Quality Before Date” means the date which signifies the end of the period, under any stated storage conditions, during which the unopened product will remain fully marketable and will retain any specific qualities for which implied or express claims have been made. However, beyond the date the food may still be acceptable for consumption and “Best Before Date” has the same meaning;

"bran" in relation to wholegrains means the fraction generally described as bran in intact (unmilled) grains which includes the pericarp-seed coat (mainly insoluble fibre (NSP)) and the aleurone layer which consists of cells containing protein, fats, micronutrients, and some fibre;

"brine" means a solution of sodium chloride in water where the strength of the solution may vary depending on its use in the end product;

"bulk stock" means—

(a) a container that is used to display several individual units suitable for sale by itself at retail or wholesale; or

(b) multiple individual units, which are pre-packed or wrapped for the purpose of bulk sales of foodstuffs at wholesale; or

(c) foodstuffs, ingredients, or additives which are imported, without labels, or sold in large quantities to other foodstuff manufacturers or catering establishments;

"carbohydrate" for the purpose of nutritional information labelling means-

(a) where no claim with a health or nutrition message is made, carbohydrate calculated by difference, using the formula: carbohydrate = 100 g - [moisture (g) + protein (g) + fat (g) + oligosachharides (mg), + dietary fibre (g), + alcohol (g), + ash (g), + non-glycemic polyols (g) specified in point 3 of Annexure 2]; or

(b) where a claim related to any component of carbohydrates according to the classification in Annexure 6 is made, the sum of all the analytical values of all the following glycaemic carbohydrates: sugars, glycaemic polyols specified in point 2 of Annexure 2, oligosaccharides, isomaltulose and starch;

"catering establishment" means an establishment, including a vehicle or a fixed or mobile stand where, in the course of business, ready-to-consume foodstuffs are prepared for direct sale to the consumer for consumption;

"cereal" means a product derived from the grain or edible seed of any cultivated grasses of the family *Poaceae*, which may be used as a foodstuff, such as, but not limited to wheat, rice, oats, barley, rye, maize, millet;

"children" for the purpose of foods that may not be marketed or advertised to children and the Front-of-pack-labelling logos, are all children 18 years and under;

"chilled" means stored at an appropriate temperature ranging from 0°C to 7°C for a specific product type, but specifically means a maximum core temperature of 4°C for raw unpreserved fish, molluscs, crustaceans, edible offal, poultry meat and milk, and for any other perishable foodstuffs that must be kept chilled to prevent spoilage, a maximum temperature of 7°C, and **"refrigerated"** has the same meaning;

"chocolate confectionery" means any foodstuff that is meant to be consumed as a sweet snack and which contains chocolate only as described in the Codex Alimentarius or chocolate plus other ingredients;

"claim" in relation to a foodstuff, means any written, pictorial, visual, descriptive, or verbal statement, communication, representation, or reference brought to the attention of the public in any manner including a tradename 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, production, or storage;

"Codex" means the latest adopted version of the relevant text of the Codex Alimentarius Commission of the Joint Food and Agricultural Organisation (FAO) / World Health Organisation (WHO) Foodstuffs Standards Programme;

"cold extraction" means, with regard to edible vegetable fat and oil manufacturing, oil obtained by mechanical procedures or cold pressed,

"colourant" means any substance described as such in Regulations Relating to Colourants, R.1008 of 21 June 1996 under the Act;

"common allergen" means egg, cow's milk, crustaceans, molluscs, fish, peanuts, soybeans, tree nuts and any significant cereals as well as ingredients derived from these foodstuffs, and which have retained their allergenicity in the final end product and includes sulphites;

"comparative claim" means a claim that compares certain nutrient levels or energy values of two or more similar foodstuffs;

"complementary medicine" has the meaning assigned to it in regulation 1 of the General Regulations published in Government Notice R510 of 10 April 2003 and made in terms of the Medicines and Related Substances Amendment Act, 1965 (Act No. 14 of 2016);

"Compulsory Specifications Act" means the National Regulator for Compulsory Specifications Act, 2008 (Act No.5 of 2008);

"container" means any packaging of foodstuffs for sale at retail level or for catering purposes for delivery as a single item or for free sample hand-out purposes, which either completely or partially enclose the foodstuffs, and includes wrappers or shrink-wrap for individual and multiple-unit-packs;

"dairy product" means a primary dairy product, a composite dairy product or a modified dairy product as defined in the Regulations on Dairy Products and Imitation Dairy Products; R. 1510 of 22 November 2019 made under the Agricultural Product Standards Act;

"date of manufacture" means the date on which the foodstuff becomes the end product as described and is not an indication of either the quality or the safety of the product;

"date of packaging" means the date on which the food is placed in the immediate container in which it will be ultimately sold and is not an indication of either the quality or the safety of the product;

"dehulled or dehusked" means cleaned grains from which the inedible parts have been removed;

"dietary fibre" means edible intrinsic non-starch plant cell wall polysaccharides with ten or more monomeric units from fruits, vegetables, and wholegrains, which are not hydrolysed by the endogenous enzymes in the small intestine of humans and belong to the following categories:

(a) Edible carbohydrate polymers naturally occurring in foodstuffs as consumed;

(b) edible carbohydrate polymers, which have been obtained from foodstuffs raw material by physical, enzymatic, or chemical means and which have been shown to be beneficial to health by generally accepted scientific evidence provided to competent authorities; or

(c) benefits to health as NSP from fruits, vegetables, and wholegrains;

"endorse" means to indicate approval of a particular foodstuff with the permission of an endorsing body through the endorsing body's specific logo, picture, or text;

"end product" means a final product that will undergo no further processing or transformation by any food business operator before being sold;

"energy intake" means the ingestion, orally or otherwise (such as enteral) of energy-providing substances or ingredients;

"enrichment" means the voluntary addition by a manufacturer, of one or more nutrients to a processed or manufactured foodstuff that passes the Nutrient Profiling Model, with the sole purpose of adding nutritional value to the foodstuff but does not mean fortification;

"fake food" means a foodstuff or beverage which consist mainly of a mixture of food additives not ordinarily consumed on its own in the same form as the ingoing additive in the formulation/recipe, and/or ingredients such as water and/or salt and/or the flavouring or extract of a real ingredient but not the ingredient itself, and contains no or no significant amount of energy, protein, carbohydrates, or fat;

"flavouring" means a compound additive which enhances the flavour of foodstuff, and which is not normally consumed as a foodstuff by itself, which is added intentionally to a foodstuff for organoleptic purposes, but excludes substances that have an exclusively sweet, sour, or salty taste;

"flavour enhancer" means an additive with the exclusive technological function of enhancing, intensifying, or supplementing the existing taste or odour of a foodstuff;

"flour confectionery" means any cooked foodstuff ready for consumption without further preparation (other than reheating) and intended to be consumed within 24 hours of manufacture, having as its characteristic ingredients ground cereal and sweeteners or other ingredients, but excludes dry biscuits;

"food business operator" means a foodstuff manufacturer, seller, or importer;

fortification" means the addition of one or more micronutrients by means of a prescribed fortification mix to a foodstuff vehicle whether or not it is normally contained in a foodstuff vehicle for the purpose of preventing or correcting a demonstrated deficiency of one or more nutrients in the general population or specific population group of South Africa as contained in the Regulations Relating to the Fortification of Certain Foodstuffs, R504 of 7 April 2003;

"front-of-pack" means that principal display panel on the packaging of a foodstuff that bears the brand name or trade name and product name or product descriptor in greatest

prominence that enables the consumer to immediately identify a product in terms of its character or nature;

"Front-of-Pack-Labelling (FOPL)" means the labelling system outlined in regulation 51 and Annexure 10 and comprises a system of logos presented on the principle display panel on the packaging of a foodstuff and beverages (in the principal field of vision and an underpinning profiling model relating to nutrients of concern for NCDs; and present simple, often graphic information on the nutrient content of nutritional quality of products, to complement the more detailed nutrient declarations usually provided on the back of food packages;

"frozen" means stored at any appropriate temperature equal to or colder than 0°C which will maintain and preserve the inherent quality of a specific product in a hard, frozen state and includes frozen foodstuffs for which special temperature requirements are provided for in the relevant regulations made under the Agricultural Product Standards Act, the Compulsory Specifications Act and any other Regulations promulgated under the Act;

"**fruit drink**" means a fruit drink as defined in the Regulations for Fruit Juices, R. 286 of 7 November 1980 and subsequent amendments and revisions under the Agricultural Product Standards Act;

"fruit juice" means fruit juice as defined in the Regulations for Fruit Juices, R. 286 of 7 November 1980 and subsequent amendments and revisions under the Agricultural Product Standards Act;

"fruit nectar" means fruit nectar as defined in the Regulations for Fruit Juices, R. 286 of 7 November 1980 and subsequent amendments and revisions under the Agricultural Product Standards Act;

"gluten" means the main protein that occurs naturally in significant cereals such as wheat, rye, oats, barley, triticale and spelt relevant to the medical conditions, namely coeliac disease, and dermatitis herpetiformis;

"GI" means the Glycaemic Index which is a measure of the blood glucose responses of glycaemic carbohydrates in a given foodstuff as determined according to the latest edition of ISO 26642 standard;

"GL" means Glycaemic Load which is a numerical expression of how much impact a specific carbohydrate foodstuff serving will have in affecting blood glucose levels and which is calculated according to the formula:

$$GL = \frac{\text{Carbohydrate content (in grams) per serving x GI;}}{100}$$

"Good Manufacturing Practice" means a combination of manufacturing, quality control and hygiene procedures aimed at ensuring that foodstuffs are consistently manufactured to their specifications;

"guideline" means guidance documents which are intended to provide detailed information, clarity, and examples to enhance the interpretation of these Regulations as published on the website of the Department of Health;

"grain" for the purpose of these Regulations specifically in relation to wholegrains, means any species belonging to the following genus/species:

(a) Wheat (genus *Triticum)*, including varieties such as kamut (khorasan wheat) and spelt;
(b) rye (*Secale cereal);*
(c) barley (*Hordeum sativum or Hordeum vulgare);*
(d) sorghum (*Sorghum vulgare);*
(e) oats (*Avenasativa* or any other species belonging to the genus *Avena)*;

(f) crossbred hybrids of wheat, rye or barley (e.g., triticale, which is a cross between wheat and rye);
(g) millet (*Pennisetum American);*
(h) maize (*Zea mays);*
(i) the amaranth *species* *Amaranthus caudatus*, *Amaranthus cruentus*, and *Amaranthus hypochondriacus*;
(j) buckwheat (*Fagopyrum esculentum);*
(k) quinoa (*Chenopodium quinoa);*
(l) wild rice (*Oryza sativa* or any other species belonging to the genus Zizania).

"health claim" means an effect on the human body, including an effect on one or more of the following:
(a) A biochemical process or outcome;
(b) a physiological process or outcome;
(c) a functional process or outcome;
(d) growth and development;
(e) mental performance;
(f) a disease, disorder or condition; and
(g) oral hygiene;

"honey" has the meaning assigned to it in the Regulations Relating to the Grading, Packing, and Marking of Honey and Mixtures of Bee Products intended for Sale in the Republic of South Africa and subsequent amendments and revisions under the Agricultural Product Standards Act;

"ingredient" for the purpose of the list of ingredients on the label of compound foodstuffs, means any substance, including any foodstuffs additive, which is used in the manufacture or preparation of foodstuffs, and which is present in or on the final end product, although possibly in a modified form but excludes processing aids;

"ingredient content claim" means a claim that describes the level of the following ingredients in the end product: added sugar, added salt, antioxidant, prebiotic, polyol, reconstituted wholegrain/(name of specific wholegrain) and partially wholegrain/(name of specific wholegrain);

"irradiation" means deliberate exposure to ionising radiation;

"label" means any permanent tag, brand, mark, sticker, pictorial, graphic or other descriptive matter, which is written, printed, stencilled, marked, embossed, impressed upon, or permanently attached to a container of a foodstuff, and includes labelling for the purpose of promoting its sale or disposal;

"Liquor Products Act" means the Liquor Products Act, 1989 (Act No. 608 of 1989) and includes the Regulations made thereunder;

"main ingredient" means the ingredient in a foodstuff which contributes the highest percentage mass in the end product, excluding water;

"main panel" means that part of the label that bears the brand name or trade name and product name or product descriptor in greatest prominence that enables the consumer to immediately identify a product in terms of its character or nature;

"Meat Safety Act" means the Meat Safety Act, 2000 (Act No. 40 of 2000);

"milk" means cow's milk unless otherwise specifically indicated;

"modified starch" means an edible starch that no longer possesses the functional characteristics of the native starch from which it is derived due to any physical, enzymatic, chemical, or other processes that has been used to modify its properties;

"monounsaturated fatty acid" means a hydrocarbon chain that contains one *cis* double bond and a carboxyl group at the terminal end;

"name" means a word or words giving a true description of the nature of the foodstuff product concerned;

"non-nutritive sweetener" has the meaning assigned to it in the Regulations Relating to the Use of Sweeteners in Foods, R.733 of 10 September 2012 and subsequent amendments and revisions, as published under the Act;

"nutrient" means any natural or synthetic substance normally consumed as a constituent of foodstuffs, which provides energy, and which is needed for growth, development and maintenance of life and physiological health, or of which a deficit may cause characteristic biochemical or physiological changes to occur;

"nutrient content claim" means a claim that describes the present level of energy, certain micro and macro nutrients, or carotenoids contained in an end product foodstuff;

"Nutrient Profiling Model for Health and Nutrition Claims" in relation to South Africa means a validated electronic tool based on a set of scientific criteria to categorise foodstuffs according to their total nutritional composition for the purpose of screening foodstuffs to determine their eligibility to make any claim or endorsement with a health or nutrition message;

"nutrition claim" means any representation that refers to energy or a specific nutrient or foodstuff constituent content of a particular foodstuff such as a nutrient content claim, a comparative claim and ingredient-content claim, but excludes−

(a) the mention of substances within the list of ingredients; and

(b) the mention of substances in the nutritional information table;

"partially wholegrain" means the addition of a specified percentage of intact wholegrains to an end product;

"polyol" has the meaning assigned to it in the Regulations Relating to the Use of Sweeteners, R.733 of 10 September 2012 and subsequent amendments and revisions as published under the Act;

"polyunsaturated fatty acid" means a hydrocarbon chain with cis-cis methylene interrupted double bonds and a carboxyl group at the terminal end;

"portion or single portion/serving" in relation to a foodstuff, means the mass, volume, or number, as the case may be, of a foodstuff which is appropriate for a single portion/serving which is typically recommended by health professionals for maintenance or achievement of a healthy weight and good health;

"poultry" means any poultry meat in the Regulations Regarding Control over the Sale of Poultry Meat published in Government Notice R. 946 of 27 March 1992 and subsequent amendments and revisions, made under the Agricultural Product Standards Act;

"prebiotics" mean edible carbohydrates, of which the degree of polymerization varies between two to sixty-four monomeric units, which resist hydrolysis by mammalian enzymes that allow specific changes, both in the composition or activity in the indigenous human gastrointestinal microflora, which confer benefits upon host well-being and health, demonstrated by generally accepted scientific evidence to competent authorities;

"pre-packaged" means the packaging of a foodstuff in packaging material ready for sale to the consumer or to a catering establishment, but does not include—

(a) individually wrapped one-bite sweets or chocolate confectionery, sugars or savoury accompaniments to a meal which is not enclosed in any further packaging material and is not intended for sale as an individual unit; and

(b) the outer containers of bulk stock;

"preservative" means an additive that prolongs the shelf life of a foodstuff;

"processed" means a foodstuff that has been subjected to any process which alters its original state, but excludes –

(a) harvesting;
(b) slaughtering;
(c) cleaning;
(d) decapitating;
(e) defeathering;
(f) dehairing;
(g) eviscerating;
(h) portioning;
(i) sectioning;
(j) deboning;
(k) washing;
(l) chilling;
(m) removal of fish scales,
(n) removal of blemishes and foliage of fruit and vegetables;
(o) removal of inedible skins and seeds of fruits and vegetables;
(p) removal of the skins of animals; or
(q) the mixing, compounding, or blending of two or more single ingredient agricultural ingredients that have not been processed;

"processed meat" means products containing meat that are published as Regulations on Processed meat, R.1283 of 4 October 2019 and subsequent amendments and revisions under the Agricultural Product Standards Act;

“protein” means—

(a) organic compounds consisting of amino acids, arranged in a linear chain and joined together by peptide bonds between the carboxyl and amino groups of adjacent amino acid residues;

(b) any of a group of complex organic macromolecules that contain carbon, hydrogen, oxygen, nitrogen, and usually sulphur and are composed of one or more chains of amino acids, measured as the sum of individual amino acid residues (the molecular weight of each amino acid less the molecular weight of water) plus free amino acids and of which the nitrogen must be multiplied with the appropriate factor as listed in Annexure 2;

"raw-processed meat" means raw meat products from all species of meat animals and birds intended for human consumption, cured or uncured, pre-packaged or un-prepacked, that may have undergone freezing or partial heat treatment, and where any added ingredients or additives and added water, including a formulated solution, are retained in or on the product as sold, but excludes products covered by the latest version of the Regulations on Processed meat, R.1283 of 4 October 2019 under the Agricultural Product Standards Act;

“ready-to-eat foodstuffs” means any solid or liquid foodstuff prepared into a form in which it is normally consumed without further processing except, in some cases, heating;

“recombined wholegrain flour meal” means the recombination of the starchy endosperm, germ and bran constituents of milled intact dehulled or dehusked wholegrains after separation of these constituents through milling, to relative proportions of starchy endosperm, germ and bran found in the intact grain and include the recombination of wholegrain with milled fractions of intact wholegrain; with losses of maximum 10% bran, and maximum 50% germ and generally changes to the GI value, when compared to the intact wholegrain;

“retail” means the direct sale of foodstuffs to the consumer;

“saturated fatty acid” means a hydrocarbon chain with no double bonds and a carboxyl group at the terminal end;

“scale label or sticker” means a self-adhesive label applied to the packaging of foodstuffs bearing a brief description sufficient to identify the foodstuffs’ mass or quantity contained and any other required information under applicable regulations;

"significant cereal" means any one of the following cereals:

(a) Wheat, meaning any species belonging to the genus *Triticum*, including varieties such as kamut (khorasan wheat) and spelt;
(b) rye, meaning any species belonging to the genus *Secale*;
(c) barley, meaning any species belonging to the genus *Hordeum;*
(d) oats; or
(e) crossbred hybrids of wheat, rye or barley (e.g., triticale, which is a cross between wheat and rye);

“single ingredient agricultural commodities” mean—

(a) single type fresh fruit or vegetables;
(b) single type frozen fruit or vegetables without any added additive or ingredient;
(c) single type dehydrated vegetables without any added additive or ingredient;
(d) single ingredient dried fruit without any added additive or ingredient;
(e) single type fresh fruit or vegetable juice without any additive;
(f) whole eggs;
(g) raw, fresh, or frozen unprocessed fish and marine products;
(h) unprocessed meat of birds and animals referred to in Schedule 1 of the Meat Safety Act;
(i) black and green tea, honeybush tea and rooibos tea;
(j) vinegar;
(k) 100% pure honey;
(l) single ingredient wholegrain cereal kernels;

(m) rice, provided the specific cultivar is indicated;
(n) single ingredient raw oil seeds;
(o) raw soya beans;
(p) raw groundnuts without any added ingredient or additive;
(q) single ingredient dry legumes;
(r) fresh, pasteurised, or UHT milk, fresh, pasteurised, UHT or canned dairy cream and unsalted butter;
(s) unsweetened canned condensed milk;
(t) raw, fresh tree nuts without any added additive or ingredient;
(u) fresh or dried coconut flesh;
(v) single ingredient vegetable oil such as 100% sunflower oil; or
(w) sucrose to which no additives or nutrients are added;

"small producer" means a business defined as either a Qualifying Small Enterprise or Exempt Micro Enterprise in the BEE revised Codes of Good Practice;

"starch" means edible starch, an ingredient as listed in the classification of carbohydrates in Annexure 6 and excludes modified starches;

"street vendor" means a person who offers goods or services for sale to the public without having a permanently built structure but with a temporary static structure or mobile stall or with their goods laid out on the sidewalk;

"sugars" means all edible mono- and disaccharides;

"supersize portion/serving size" means a single portion/serving size which is not more than the portion/serving sizes typically recommended by health professionals for maintenance or achievement of a healthy weight and good health and which would not encourage consumers to consume "supersize" servings which might result in an undesirable increase of their total energy intake that could contribute to unhealthy weight gain;

"**syrup**" means a solution of one or more sugars in water where the strength of the solution may vary depending on its use in the end product;

"the Act" means the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No.54 of 1972);

"total carbohydrates" means the sum of all the carbohydrates indicated in the WHO classification of carbohydrates as indicated in Annexure 6;

"total fat" means—

(a) in the case where a claim with a health or nutrition message is made and the foodstuff has to be chemically analysed, the sum of all the individual fatty acids expressed as triacylglycerol (triglyceride) equivalents [including *cis* and *trans*-forms of monounsaturated and polyunsaturated fatty acids as well as conjugated linoleic acid (CLA)] (AOAC 996.06 or equivalent method); or

(b) in the case where no claim with a health or nutrition message is made and the nutrient values for single ingredient foods are used from food composition tables for direct labelling or for recipe calculations, the value that includes all the individual fatty acids and the non-fatty acid components such as glycerol, phospholipids, sterols, and fat-soluble vitamins. (This definition applies where total fat is reported as 'total lipids' in food composition tables and the nutrient values for single ingredient foods are used from the food composition table in the South African Food Data System (SAFOODS) or suitable international food composition tables for direct labelling or for recipe calculations);

"total sugars" means the sum of all intrinsic and added mono- and disaccharides from all sources in a food, defined as "all monosaccharides and disaccharides other than polyols;

"traceable/traceability" means the ability to follow the movement of a foodstuff through specific stages of production, processing, and distribution;

"*Trans* fat" means **"industrially produced *trans-fatty* acids"** but excludes "**natural trans-fatty acids"** as defined in the Regulations Relating to *Trans*-fat in Certain Foodstuffs and Related Matters, R127 of 17 February 2011 and subsequent amendments and revision under the Act;

"tree nuts" means almonds (Prunus dulcis, syn. Prunus amygdalus Batsch, *Amygdalus communis L*., Amygdalus dulcis Mill), brazil nuts (*Bertholletia excelsa*), cashew nuts (*Anacardium occidentale*), hazelnuts (*Corylus avellana*), macadamia nuts (*Macadamia ternifolia*), pecan nuts (*Carya illinoiesis [Wangenh] K. Koch*), pistachio nuts (*Pistachia vera*) and walnuts (*Juglans regia*);

"typical values" means the average of real, typical, representative, composite nutritional or microbiological values of foodstuffs sampled and analysed according to the relevant criteria and methods stipulated in these Regulations or Codex, and which has the required accreditation by the SANAS or other recognised international accreditation authorities which are part of the ILAC arrangement;

"vegetarian" means a diet which—

(a) consists of ingredients of multi-cellular plant, fungal, algal, and bacterial origin;

(b) may include honey, dairy foodstuffs produced without any slaughter by-products, or unfertilised eggs obtained from live animals; and

(c) excludes all animal flesh and products obtained from the slaughter of an animal, such as gelatine, animal fats, caviar, and roe;

"Use by" date means the date which signifies the end of the period under any stated storage conditions, after which the product should not be sold or consumed due to safety and quality reasons and "expiration date" has the same meaning;

“un-prepacked” means a foodstuff that is exhibited for sale without being pre-packaged in a container with a label, excluding a scale label;

“unprocessed meat” means uncooked, uncured meat which has not been processed or heat-treated and which does not fall under the categories “processed meat” or “raw-processed meat”;

“vegetable juice” means the product obtained from the edible part of sound, ripe vegetables which may either be fresh or preserved, and which has the characteristic colour, flavour and aroma of the juice originating from the specific vegetable it has been obtained from;

“weight loss” means an intentional imbalance between energy intake or uptake and energy expenditure accounting for a reduction in total body weight by a loss of total body fat or abdominal fat and a subsequent increase in lean tissue;

"wholegrain" means clean dehulled or dehusked intact grains which may have been subjected to minimal food processing techniques such as cutting, coarse milling (crushed, cracked), rolling (flakes) or kibbling, after which the constituents – endosperm, germ and bran – are present in such proportions that represent the typical ratio of those fractions occurring in the intact wholegrain, and which has the same nutritional value as the intact wholegrain;

"wholegrain flour/meal" means flour obtained by the milling of dehulled or dehusked intact wholegrains which, after milling, still contains all the components namely endosperm, bran, germ, all the macronutrients, micronutrients, and trace elements of the original intact whole kernel in its original form, usually having a short shelf life in itself and which, as a result of milling and grinding processes, results in a product which has a finer particle; and

“wholesale” means the sale of goods, usually in larger quantities, for the purpose of resale to consumers.

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PART I:

GENERAL PROVISIONS

General

2. (1) A person may not manufacture, import, sell, donate, or offer for sale any pre-packaged foodstuff, unless the foodstuff container, or the bulk stock from which it is sold or taken, is labelled in accordance with these Regulations.

(2) A person contemplated in subregulation (1) 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.

(3) (a) A food business operator under whose name or business name a foodstuff is marketed is responsible for the information required by these Regulations

(b) A person may not promote or advertise a foodstuff in a manner which is in conflict with these Regulations.

(c) A person may not label a foodstuff for sale in a manner which contradicts any regulations made under the Act relating to infants, young children, or children.

(4) Subject to regulation 74(3), the particulars required in terms of these Regulations regarding a foodstuff that is not labelled but displayed for sale, must be made available upon request at the premises where the foodstuff is offered for sale.

(5) For the purpose of traceability and subsequent labelling, a food business operator must 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 ready

for sale, irrespective of whether the foodstuff is intended for direct sale or for further processing or manufacturing.

(6) A food business operator must keep the supplier ingredient information files, contemplated in subregulation (5), while an ingredient, additive or substance is in use and for a period of at least 12 months after the use thereof has ceased.

(7) A food business operator is guilty of an offence if he or she, upon request by an inspector or employee of the Department, fails to produce, within two working days, any relevant documentation related to the labelling or advertising of a foodstuff.

(8) Unless these Regulations specifically provide otherwise, a label, promotion or advertisement of a foodstuff may not refer to the Act, regulations made under the Act, the Department of Health, national, provincial, or local government, or any official of the said department or government.

(9) Notwithstanding regulation 9, any endorsement of a foodstuff is considered the voluntary decision of a food business operator and is not a mandatory requirement in terms of these Regulations.

(10) A person may not—

(a) include a sample of complementary medicine in a foodstuff or its container;

(b) show a pictorial representation of a complementary medicine on the label, container or in an advertisement;

(c) make a claim on the label of the foodstuff that may relate to the health or therapeutic effect of a complementary medicine;

(d) include as an ingredient in a foodstuff a complementary medicine which is sold independently, and use the brand name of the complementary medicine to indicate its presence in the list of ingredients or anywhere else on the label;

(e) subject to paragraph (h), add any herbal substance to a foodstuff, which is not, according to Annexure 7, considered a culinary herb or spice ordinarily used in South Africa (Table 1); or which other herbs and spices which are not ordinarily used as culinary herbs, but which are permitted in foodstuffs (Table 2a); or which may not be used in food according to the Medicines Act (Table 2b);

(f) compare a foodstuff in any manner with a complementary medicine or *vice versa*;

(g) include a vitamin, mineral, fatty acid, amino acid, prebiotic or probiotic defined in terms of the Medicines Act, in a food at a level which is considered a complimentary medicine made in terms of the Medicines Act;

(h) make any claim with a health or nutrition message about a vitamin, mineral, fatty acid, amino acid, prebiotic or probiotic defined in terms of the Medicines Act, unless specifically permitted for by these Regulations; and

(i) include any other substance in a food which is considered a complementary medicine, or a medicine made in terms of the Medicines Act.

Presentation

3. (1) Subject to regulation 4, the information that must appear on any label must be—

(a) in English, and where label space permits, a second official language of South Africa of the manufacturers choice: Provided that the minimum letter size used for the required label information may not be reduced to accommodate various languages for local or export purposes; and

(b) indelible, clearly visible, and easily legible with a significant contrast between font colour and background colour and the legibility thereof must not be affected by pictorial or any other matter, printed or otherwise.; Provided that-

(i) colours used on labels shall not dominate/ overwhelm nor used in such a way that any information, warning statement or FOPL logos, when applicable, become poorly visible, non-legible or indistinguishable from pictorial representations and information; and

(ii) White lettering on any background colour except black shall be prohibited.

(2) The label of a pre-packaged foodstuff must be applied in such a manner that it may not be unintentionally separated from the container prior to or at point-of sale.

Letter sizes

4. In the interest of ensuring clear legibility, unless provided otherwise by the Agricultural Product Standards Act, and the Compulsory Specifications Act, and subject to these Regulations—

(a) the name of a foodstuff must appear on the main panel of the label in letters, according to Annexure 5, for which the vertical height of font size is not less than 4 mm: Provided that in the case of returnable soft drink bottles with embossed labels, the name and other information may, in addition, be on the cap in letters of a font size of which the x-height according to Annexure 5 is not less than 0.9 mm in vertical height;

(b) the information required to appear on a label excluding the name, warning, and mandatory statements where applicable in terms of these Regulations, must be in letters of a font size of which the x-height according to Annexure 5, is not less than 1.2 mm vertical height;

(c) the letter sizes prescribed in paragraphs (a) and (b) applies to packages of which the main panel exceeds 12 000 mm^2; and
in the case where the area of the main panel of the package is less than 12 000 mm^2, the minimum x-height, according to Annexure 5, of the font size of the letters must not be less than 0.9 mm in vertical height.

(d) words which qualify the name of the foodstuffs, or which are part of the description thereof or which are an essential part thereof, must, in cases where the name does not reflect a complete description of the foodstuffs in the container—

(i) be reflected in the immediate proximity to the name;

(ii) be in prominent, distinctive letters of the same font, colour and prominence; and

(iii) be letters of the same font size of which the x-height according to Annexure 5, is not less than 1.2 mm vertical height: Provided that the listing of ingredients and proportions of ingredients is in a letter type of uniform size, colour, font and prominence throughout.

Identification

5. The label of a pre-packaged foodstuff must contain—

(a) on the main panel—

(i) subject to the requirements of the Agricultural Product Standards Act, the name of the particular foodstuff. Where the name is not a true description of the foodstuff, or is not self-evident or self-explanatory, the name must be accompanied by an appropriate description: Provided that the name of a foodstuff may consist of a name or a description, or of a name and a description and where a name or names have been established for a foodstuff in a Codex Alimentarius Standard, at least one of these names must be used;

(ii) a name of the foodstuff or the description thereof shall-

(aa) be sufficiently precise to avoid misleading or confusing the consumer with regard the true nature, physical condition, type of packing medium, style, condition, content, and type of treatment it has undergone; and

(bb) contain words or phrases as are necessary to avoid misleading or confusing the consumer regarding the true nature and physical condition of the foodstuffs, including but not limited to the condition or type of treatment it has undergone such as dried, concentrated, reconstituted, or smoked;

(iii) there must appear on the label, either in conjunction with, or in close proximity to the name of the foodstuff, such additional words, or phrases as are necessary to avoid misleading or confusing the consumer in regard to the true nature and physical condition of the foodstuffs, including but not limited to the condition or type of treatment it has undergone such as dried, concentrated, reconstituted, or smoked;

(b) the name and address of the manufacturer, importer, or seller: Provided that the name and address must be accompanied by applicable wording such as "manufactured by", "imported by" or "sold by";

(c) instructions on how to use the foodstuff, where it would be difficult to make appropriate use of such foodstuff without such instructions;

(d) a list of ingredients required by regulations 11 to 23, where applicable;

(e) special storage conditions, where applicable, or where storage instructions are required to support the integrity of the date mark; and

(f) the net contents of the container in the SI-units (“Système International units”) in accordance with the requirements of the Legal Metrology Act, 2014 (Act No. 9 of 2014). Legal Metrology Act, 2014 (Act No. 9 of 2014) as applied by the National Regulator for Compulsory Specifications (NRCS).

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Country of origin

6. (1) Unless otherwise required by the regulations published in terms of the Agricultural Product Standards Act, the Compulsory Specifications Act, and the Consumer Protection Act, 2008 (Act No.68 of 2008), the country of origin of a foodstuff must be declared on the label as follows:

(a) "Product of (name of country)" if all the main ingredients, processing, and labour, used to make the foodstuff, are from one specific country;

(b) "Produced in (name of country)", "Processed in (name of country)", "Manufactured in (name of country)", or "Made in (name of country)", when a foodstuff is processed in a second country which changes its nature;

(c) in the case of imported or locally produced single ingredient agricultural commodities in bulk, where owing to climatic, seasonal or other contingencies, the words "Product of (name of countries) separated by the expression "and" or "or" , whatever the case may be, in cases where more than one country are the source of the single ingredient agricultural commodity must be declared on the label of the final pre-packed foodstuffs: Provided that the end foodstuff remains a single ingredient agricultural commodity;

(d) the words "Packed in (name of country)" may be used in addition to the requirements of paragraphs (a), (b) or (c), if applicable.

(2) (a) The use of a national flag is only permitted to indicate the country of origin when it is accompanied by the wording contemplated in subregulation (1).

(b) In the case of where the wording" Proudly South African" is used, the South African Flag may be used; Provided the product complies with the criteria for "Products of (name of country).

Batch identification

7. A container of a foodstuff must be clearly marked with a batch code and with the manufacturing date in such a way that the specific batch is easily identifiable and traceable, unless otherwise stipulated in terms of regulations made under the Agricultural Product Standards Act and the Compulsory Specifications Act.

Date marking

8. (1) No person shall import, manufacture, sell, distribute, or donate a foodstuff without a date marking, clearly indicated on the label or container according to the requirements of Regulations 2 and 6, or in the case of foodstuffs listed in Annexure 4, at least the Date of Manufacturing or the "Date of Packaging.

(2) Date markings must be introduced by the words "Use by date <insert date>" or "Best Quality Before Date <insert date>" as applicable, or in case of where Regulation 11 applies "Date of Manufacture <insert date>" or the "Date of Packaging <insert date>".

(3) The date marking may not be removed or altered by any person.

(4) Date markings must be permanently imprinted or stamped on the label or container and no stickers shall be permitted.

(5) In cases where several items are included in an outer wrapper or sleeve, which during normal usage by the consumer will be discarded, the date shall appear on the packaging that will be retained by the consumer until consumption.

(6) If not otherwise determined in relevant Codex standard or other National legislation where applicable, and unless Regulation 11 applies, the following date marking shall apply:

(a) When a food must be consumed before a certain date to ensure its safety and

quality the “Use by date” or “Expiration date” shall be declared; or

(b) Where a “Use by date” or “Expiration date” is not required, the “Best Quality-Before Date” shall be declared.

(7) The date marking wording referred to in Regulation (2) shall be accompanied by:

(a) the date itself; or

(b) a clear indication on the label of where the date marking is indicated on the container.

(8) The date marking shall, irrespective of quality or safety, declare the manufacturing day, month, and year. Food business operators who receive bulk food product and subsequently divided it into smaller units for retail purposes and repackage it, are responsible for ensuring that the labelling information required in terms of these regulations, relating to the foodstuff, including its shelf-life, is correct.

(9) (a) The date marking must be in the order, “Day-Month-Year”: Provided that the day and year may be declared by uncoded numbers with the year to be denoted by 2 or 4 digits, and the month may be declared in letters, either written out in full or abbreviated (e.g., “Feb” or “February”) or numbers.

(b) Subject to paragraph (a), where only numbers are used to declare the date, or where the year is expressed as only two digits, the sequence of day/month/year must accompany the date by appropriate abbreviations as applicable, namely (DD/MM/YYYY) or (YYYY/MM/DD), (DD/MM/YY) or (YY/MM/DD), or (MM/YYYY) or (YYYY/MM).

(10) When the “Best Quality before Date” as required in sub-regulation 6(b) is reached, and food integrity is not compromised in any way, the foodstuff may still be sold, with the exception that:

(a) foodstuffs intended for infants, children & young children, and foodstuffs where the nutritional value has been enhanced, such that the potency of the nutrients will be compromised affecting the quality of the product, may not be sold beyond the "Best Quality before Date" and

(b) imported foodstuffs must have a minimum of 12 months before the end of a "Best Quality before Date" to ensure sufficient time for sale thereof, in line with the Code of Ethics for International Trade in Food including Concessional and Food Aid Transactions, Codex CAC/RCP 20-1979. Beyond this date, such foodstuffs may not be sold.

(11) In the case of foods listed in Annexure 9[1], a date marking as required by Regulation 6 shall not apply, but shall be labelled with a "Date of Manufacture" or a "Date of Packaging" as appropriate, in accordance with the format in Regulation 2; Provided that where-

(a) safety is not compromised, and quality does not deteriorate because the nature of the food is such that it cannot support microbial growth.

(b) the deterioration is clearly evident by physical examination at the point of purchase, such as raw fresh produce that has not been subject to processing and presented in a manner that is visible to the consumer;

(c) the key/organoleptic quality aspects of the food are not lost;

(d) the food by its nature is normally consumed within 24 hours of its manufacture, such as some bakers' or pastry-cooks' wares.

(12) Any special conditions for the storage of the food shall be declared on the label where they are required to support the integrity of the food and, where a date mark is used, the validity of the date depends thereon.

(13) Any other type of date marking such as, but not limited to, "Sell by" is

[1] This is an illustrative list

prohibited.

Prohibited statements

9. (1) The following information or declarations may not be reflected on a label or advertisement of a foodstuff:

(a) Words, pictorial representations, marks, logos, or descriptions which create an impression that such a foodstuff is supported, endorsed, complies with or has been manufactured in accordance with recommendations by—

(i) one of the following practising health professionals referred to in the Health Professions Act, 1974 (Act No.56 of 1974), the Allied Health Professions Act, 1982 (Act No.63 of 1982), the Pharmacy Act, 1974 (Act No.53 of 1974), the Nursing Act, 2005 (Act No.33 of 2005) or the Dental Technician Act, 1979 (Act No.19 of 1979), (individually or as part of any professional or consumer advisory organisation consisting of one or more of the aforementioned health practitioners) who is sponsored directly or indirectly by a food business operator;

(ii) endorsing entities (excluding religious certifying organisations, any fauna and flora related certifying and endorsing entities, or other endorsing entities certifying quality or safety aspects of foodstuffs), provided any food safety certification of a foodstuff or ingredient shall comply with all legislation legally in place at the time; and

(iii) in the case of endorsement entities related to non-communicable diseases, shall be—

(aa) fully compliant with these Regulations and other applicable Regulations promulgated under the Act;

(bb) actively involved in generic health promotion activities, which promote the reduction of risk of developing one or more particular non-communicable diseases to all consumers in South Africa (which includes foodstuffs choices, exercise, serving sizes, foodstuffs preparation methods, et cetera) or other public health

concerns, supported by evidence-based nutrition through the application of the best available systematically assembled scientific evidence in setting nutrition and public health policies and practice in terms of the reduction of risk for the development of a non-communicable disease;

(cc) independent of, free from influence by, and not related to the supplier of a foodstuff or the food business operators in relation to which an endorsement is made;

(iv) the food business operator shall have no financial interest in the endorsing entity, nor benefits financially from applying the endorsement, has not established, either by itself or with others, the endorsing body and exercises no direct or indirect control over the endorsing body;

(v) the foodstuff, which is endorsed, successfully qualifies with the screening criteria of the Nutrient Profiling Model for South Africa as outlined in Annexure 8 using the electronic calculator which is available on the website of the Department and are not required to bear any Front-of-pack-logo (FOPL); and

(vi) in the case of fruit or vegetable juices being endorsed, the fruit or vegetable juice does not contain any added sugars or free sugars, qualifies for the non-addition claim for sugars and has an intrinsic dietary fibre content per 100 ml that equals at least 20% of the dietary fibre content of 100 g of the same fresh fruit or vegetable; provided the dietary fibre is the intrinsic natural fibre from fruit or vegetable pulp/purees/pastes and not added purified non-starch polysaccharides (NSP);

(b) endorsement logos representing a particular industry, categorised according to the South African Food Based Dietary Guidelines and its accompanying Food Guide where applicable, for the promotion of the products of such an industry, unless the message in terms of the recommended number of portion/servings per day complies with the guidelines of the Food Based Dietary Guideline technical report of the Department and may include the wording of the applicable Food Based Dietary Guideline;

(c) an endorsement or testimonial of an individual in the form of a picture, written or verbal statement or in any other form, when the individual's endorsement or testimonial specifically imply any type of ingredient content claim or claims with a health or nutrition message;

(d) the words "health" or "healthy" or any other words with a similar meaning, logos, pictorials or symbols with a similar meaning implying that the foodstuff in and of itself or a component in the foodstuff has health-giving properties in any manner including the name and trade name; except in the case of the fortification logo for food vehicles as determined by regulations made under the Act and where the words are used in permitted function or disease risk claims;

(e) the words "wholesome", "nutritious", "nutraceutical" or "super-food", "smart" or intelligent" or any other words, logos, or pictorials with a similar meaning in any manner implying that the food is better or superior in any way, including the name and trade name;

(f) a claim that a foodstuff provides complete or balanced nutrition or any other words, logos, or pictorials with a similar meaning in any manner including the name and trade name; or

(g) subject to the provisions of the Medicines Act, the word "cure", "restore", "heal" or any other medicinal or therapeutic claim which through words, graphics, pictorials or other representations suggest or imply that a food or substance of a food has the ability to cure, diagnose, treat, mitigate, modify, prevent, restore or correct any disease, abnormal physical or mental state or somatic, psychic or organic function in man, including the symptoms thereof; excluding those explicitly permitted by certain health claims.

(2) A compound foodstuff, whether in solid or liquid form, which claims certain beneficial nutrients or category of nutrients and ingredients with health benefits in the brand or trade name—

(a) may, if the brand or trade name was registered before 1 May 1995, use the brand or trade name for six months after the date of promulgation of these Regulations.

(b) may not, if the brand or trade name was registered after 1 May 1995, use such brand or trade name after the promulgation of these Regulations.

(3) A compound foodstuff, whether in solid or liquid form, which contains a health claim in the brand or trade name—

(a) may, if the brand or trade name was registered before 1 May 1995, use the brand or trade name for six months after the date of promulgation of these Regulations;

(b) may not, if the brand or trade name was registered after 1 May 1995, use such brand or trade name after the promulgation of these Regulations.

(4) Unless authorised by these Regulations or provisions of the Liquor Products Act, no foodstuff shall on a label or advertisement reflect a class designation as defined in section 1 of that Act: Provided that and notwithstanding the provisions of these Regulations -

(a) alcohol free wine and de-alcoholised wine, as defined in paragraphs (b) and (c), shall be labelled mutatis mutandis according to the provisions of Part 2 of the Regulations made under the Liquor Products Act: For the purposes of these provisions:

(i) the compulsory class designation for alcohol free wine shall be "alcohol free wine": Provided that the word "wine" may be substituted by the name of the grape variety concerned if permitted under the provisions of the Wine of Origin Scheme, published by Government Notice No. R. 1434 of 29 June 1990 under the Liquor Products Act;

(ii) the compulsory class designation for de-alcoholised wine shall be "de-alcoholised wine" or "alcohol removed wine" or "non-alcoholic wine" used in direct conjunction with the expression "contains less than 0.5 % alcohol by volume" or "contains no more than 0.5 % alcohol by volume": Provided that if the phrase "de-alcoholised", "alcohol removed" or "non-alcoholic" is used on a label usually facing the consumer in a retail outlet, the expression "contains less than 0.5 % alcohol by volume" or "contains no more than 0.5 % alcohol by volume" shall also be used in direct conjunction with such

phrase: Provided further that the word "wine" may be substituted by the name of the grape variety concerned if permitted under the provisions of the Wine of Origin Scheme, published by Government Notice No. R. 1434 of 29 June 1990 under the Liquor Products Act; and

(iii) the alcohol content of alcohol-free wine and de-alcoholised wine need not be indicated: Provided the wine complies with subregulation 4(b and c) below;

(b) alcohol free wine -

(i) shall be wine as defined in section 1 of the Liquor Products Act, which has been de-alcoholised in accordance with the provisions of that act;

(ii) shall have an ethyl alcohol content of less than 0.05 per cent per volume;

(iii) may have added glycerol after dealcoholisation; and

(iv) may, after dealcoholisation, undergo processes and have substances added which are permitted for wine in the Regulations made under the Liquor Products Act.

(c) de-alcoholised wine -

(i) shall be wine as defined in section 1 of the Liquor Products Act, which has been de- alcoholised in accordance with the provisions of that Act;

(ii) shall have an ethyl alcohol content of less than or equal to 0.5 per cent per volume;

(iii) may have added glycerol after dealcoholisation; and

(iv) may, after dealcoholisation, undergo processes and have substances added which are permitted for wine in the Regulations made under the Liquor Products Act.

Negative claims

10. (1) Subject to the conditions for nutrient content claims in Table 2, and referring to Guideline 4, a claim, declaration, or implied claim may not be made on the label of a compound foodstuff that such foodstuff—

(a) alone possesses a particular characteristic, property, or substance when in fact similar foodstuffs in the same class or category also possess the same characteristic, property or substance, unless—

(i) the characteristic, property or substance is often found or commonly present in the referred to class or category of foodstuff; and

(ii) the claim, declaration or implication is worded in a generic manner as follows:

"(generic or category name of foodstuff but no brand name) naturally contains (name of characteristic, property or substance");

(b) is free from a particular characteristic, property, or substance when in fact similar foodstuffs in the same class or category are also free from the same characteristic, property or substance, unless—

(i) the characteristic, property or substance is often or commonly absent or low in the referred-to class or category of foodstuff.

(ii) the claim, declaration or implication is worded in a generic manner as follows: "A naturally (name of characteristic, property or substance) free foodstuff"; or "(generic or category name of foodstuff but no brand name) is a naturally (name of characteristic, property or substance) free foodstuff" so as not to reflect negatively on other similar foodstuffs in the same class or category.

(2) Notwithstanding the provisions of sub regulation (1)—

(a) where an additive, which is permitted for a particular class or category of foodstuff in terms of specific regulations under the Act, is absent from the particular brand name of the particular class or category of foodstuff, the claim, declaration, or implication, when used, must be worded as follows: "(name of additive) free";

(b) where a claim or declaration is made about the absence of a particular additive, which is legally not permitted for a particular class or category of foodstuff under specific regulations under the Act, the claim, or declaration must be worded in a generic manner as follows: "A (name of additive) free (name of category or class of foodstuffs) as is the case with all (name of category or class of foodstuff)"; or

(c) where an additive, which is permitted for a particular class or category of foodstuff under specific regulations under the Act, by choice of the manufacturer, is not used in the foodstuff, but is naturally present in the ingredients of the foodstuff, the claim, declaration or implication, when used, must be worded as follows: "no added (name of additive)".

(3) A declaration referred to in subregulations (1) and (2) may not be made in relation to packaged water.

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PART II:

SPECIAL PROVISIONS

Seasonal ingredients

11. Where, owing to climatic or seasonal contingencies, it is not possible to abide consistently by the list of ingredients as indicated on the label, the names of ingredients other than the main ingredient as claimed, that might not be present consistently must appear consecutively, but not necessarily in descending order of mass or volume in the list of ingredients, preceded by the expression "and/or".

Order of list of ingredients

12. Notwithstanding the regulations made under the Agricultural Product Standards Act, 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”: Provided that in the case where an ingredient is in a concentrated form, the ingredient must be listed in the appropriate order when reconstituted, not according to the mass of the ingoing concentrate.

Variable proportions

13. Where a foodstuff consists of or contains mixed fruit, nuts, legumes or vegetables and no particular fruit, legume or nut or vegetable predominates significantly with respect to mass, those ingredients may be listed in any order of mass if-

(a) in the case of a foodstuff which consists entirely of such mixture, the heading of the list of ingredients includes or is accompanied by the words "in variable proportions" or other words indicating the nature of the order in which the ingredients are listed; and

(b) in the case of a foodstuff, which contains such mixture, that part of the list where the names of the said ingredients appear, is accompanied by the words "in variable proportions" or other words indicating the nature of the order in which those ingredients are listed.

Ingredients shown in any order

14. Culinary herbs or spices as indicated in Annexure 7 not exceeding 2% by mass, either singly or in combination, may be shown in any order at the end of the list of ingredients and may be declared as herbs, mixed herbs, spices, mixed spices or herbs and spices, whatever is appropriate.

Naming of ingredients and other related matters

15. (1) The name used for an ingredient in a foodstuff in the list of ingredients on any label must—

(a) be the name used for such ingredient when independently sold as a foodstuff;

(b) in the case of a microbiological culture, be indicated according to its purpose such as cheese culture, yoghurt culture, lactic acid producing culture, starter culture, or whatever the case may be.

(2) Subject to regulation 12, where an ingoing concentrated or dehydrated ingredient, is reconstituted or partially reconstituted, hydrated, or partially rehydrated for use in the manufacturing of a foodstuff, the ingredient must be preceded by the appropriate descriptive words such as “reconstituted (name of ingredient) concentrate” or “rehydrated dried (name of ingredient)” or whatever is applicable, in the list of ingredients.

(3) (a) Mechanically recovered meat, or any words such as mechanically separated meat, mechanically deboned meat, mechanically deboned poultry or any other similar

term which means that the last small piece of meat is separated from the carcass or bones, must always be written out in full and may not be abbreviated when listed in the list of ingredients.

(b) In the case where mechanically recovered meat, or any words such as mechanically separated meat, mechanically deboned meat, or mechanically deboned poultry pulp is obtained from the stripped, skeletal remains under high pressure the product must comply with the latest version of the Regulations on Processed meat, R.1283 of 4 October 2019 under the Agricultural Product Standards Act; and SANS 1675 (The manufacture, production, processing and treatment of canned meat products) in all respects and it must be specified in the list of ingredients whether it is low or high pressure mechanically deboned meat.

(c) An ingoing percentage of meat contemplated in paragraph (b) must be quantified as a quantitative Ingredient Declaration ("QUID") in the list of ingredients where in-going percentage is more than 25 percent, and on the main panel when the ingoing percentage is less than 25 percent, in bold upper-case letters of which the font size is at least 3 mm in height.

(d) Where the ingoing percentage of meat contemplated in paragraph (b) is less than 25 percent, the name or description of the end product may not contain the word "meat".

(4) Names such as "salt" or "sodium chloride", "vinegar" or "acetic acid", "brine", or "syrup" may be used in the list of ingredients: Provided that a manufactured syrup comprising more than one type of sugar, water and additives must be labelled as a compound ingredient in terms of these Regulations.

Natural colouring foods

16. Only single ingredient agricultural commodities used in a compound foodstuff, which have the natural ability to colour a food, such as but not limited to red fruit palm oil, tomato paste which has the meaning assigned to it in the Regulations Relating to the grading, Packing and marketing of canned vegetables intended for Sale in the Republic of South Africa, R 1532 of 24 October 2003 and subsequent amendments and revisions under the Agricultural Product Standards Act; tomato puree, cherry juice, blueberry or mulberry juice, may be called a natural colouring food in the list of ingredients in parenthesis after the name of the ingoing ingredient. These foodstuffs or ingredients have specific aromatic, sapid or nutritive properties with a secondary colouring effect.

Indication of the type of meat species

17. (1) Subject to regulation 13, fresh, canned, frozen, raw-processed, and processed fish, other marine food species, meat of birds and animals, pre-packed or offered for sale unpacked, must clearly indicate the commonly used or known names, either in the direct vicinity of where the product is exhibited for sale or in the list of ingredients on the label.

(2) Only meat of animals and birds, referred to in Schedule 1 of the Meat Safety Act, or fish species referred to in the latest version of SANS 1647 (Approved market names for South African fish and related seafood) and other marine food species that are intended for human consumption in South Africa, must be used in foodstuffs.

Raw-processed meat

18. (a) In the case of raw-processed meat, words such as basted, basting, self-basting, marinated or marinating, seasoned or seasoning or any other words with a similar meaning may not be used to hide the fact that additives or other ingredients such as a formulated solution of which the meaning has been assigned to it in the Regulations

Regarding Control over the Sale of Poultry Meat" No.R. 946 of 27 March 1992, as amended, and subsequent amendments and revisions under the Agricultural Product Standards Act; were added into raw meat; and

(b) an indication of the type of animal, bird, fish or other marine food species and the date of manufacturing-

(i) must appear on a notice placed closed to the bulk container from which the raw-processed meat is exhibited for sale which is easily legible to the consumer;

(ii) as well as printed on a scale label which is attached to the packaging material.

Quantitative Ingredient Declarations

19. (1) Where the labelling places a form of emphasis on the presence of one or more valuable or characterising ingredients, the percentage of these ingredients in the end product, must be declared—

(a) in accordance with Guideline 5; and

(b) in parenthesis—

(i) in close proximity to the words, illustrations or graphics emphasising a particular ingredient or;

(ii) directly after the name or descriptor of the foodstuff; or

(iii) after each emphasised ingredient listed in the list of ingredients.

(2) Notwithstanding the requirements of subregulation (1)(b), the Agricultural Product Standards Act, and subject to regulation 21(1) and (2)(c), raw-processed meat products, excluding biltong and dried sausage, must indicate the QUID for the meat and water content as percentages on the main panel, in the following manner:

(a) Meat as the total meat in the final product; and

(b) notwithstanding the requirements of SANS 458 (Tolerances permitted for the accuracy of measurements of products (including pre-packaged products) in terms of legal metrology legislation) or SANS 289 Labelling requirements for pre-

packaged products (pre-packages) and general requirements for the sale of goods subject to legal metrology control) water, which must shall include any water in glaze on the product and any water that has been added inside the products in the form of a formulated solution.

(3) The indications for QUID for the meat and water content contemplated in subregulation (2) must be in bold upper-case letters and in the following letter sizes:

(a) For package sizes 500 g or less, at least 3 mm in vertical font height;

(b) for package sizes more than 500 g, at least 5 mm in vertical font height; or

(c) for packages of 5 kg or more, at least 10 mm in font vertical height.

(4) A QUID declaration is not a mandatory requirement for canned fish and marine products, frozen fish and sea-food products, agricultural fishery products and agricultural products for which compositional standards or regulations already exist under the Compulsory Specifications Act, the Agricultural Product Standards Act, and the Liquor Products Act, except for—

(a) processed meat products as per Regulations on Processed meat of the Agricultural Product Standards Act classification;

(b) raw-processed meat products, excluding biltong and dry sausage;

(c) blended fruit juices, fruit nectars, and fruit drinks, but not blended fresh fruit juices;

(d) dairy products with added ingredients;

(e) edible ices as per the Regulations Regarding the Classification, Packing and Marketing of Edible Ices Intended for Sale in the Republic of South Africa, R 78 of 8 February 2013 and subsequent amendments and revisions under the Agricultural Product Standards Act;

(f) canned meat, fish and seafood products.

(5) Subject to regulation 2(6), in cases where the quantitative content of an emphasised ingredient varies from batch to batch, an internal specification which stipulates a minimum and maximum amount, is required as part of the product specification as per the supplier ingredient information files in Guideline 1, and in which case the percentage declared on the label must always be the lower one.

Compound ingredients

20. Subject to regulations 36(2) to 41, where an ingredient is itself the product of two or more ingredients or additives, and such a compound ingredient is used in or on a foodstuff, the names of the ingoing ingredients and additives of the compound ingredient, must be listed in parenthesis in descending order, after the name of the compound ingredient in the list of ingredients.

Added water

21. (1) Subject to regulation12 and subregulations (2) and (3), added water be declared in the list of ingredients in the appropriate order.

(2) Water that is added as an ingredient or through processing of a foodstuff, must be declared in the list of ingredients of such a foodstuff, unless—

(a) it is used in the manufacturing of the foodstuff solely for the purpose of wetting a dry additive or ingredient, excluding raw-processed meats; or

(b) it is part of brine or syrup and declared as “brine” or “syrup” in the list of ingredients, excluding raw-processed meats; and

(c) the water, which is added, does not exceed 5% of the finished product, excluding raw-processed meats.

(3) In the case of raw-processed meat, subject to subregulation (2), water added as an ingredient in a sauce or marinade on meat, need not be declared.

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Added caffeine and alcohol-containing foodstuff

22. (1) In the case where caffeine as such is added to a solid foodstuff—

(a) the caffeine content, indicated in milligram (mg) per single portion/serving and per 100 g/ml must be indicated -“Caffeine- (amount in mg/g/ml)”—
  (i) in or directly under the nutritional information table; or
  (ii) adjacent to or below the warning message.

(b) the warning “Contains caffeine- Not recommended for children, pregnant or lactating women, or person sensitive to caffeine” must be declared on the label in bold font not less than 3 mm vertical font size and must be declared on the main panel in the same field of vision as the name or description in letters not less than 3 mm vertical font size according to Annexure 5.

(2) In the case where caffeine as such is added to any foodstuff (solids and beverages) the word “energy” must not be used in the name and descriptor of the foodstuff to which caffeine as such is added as an ingredient.

(3) Compound foodstuffs that contain a liquor product as one of the ingoing ingredients must declare the percentage alcohol on the main panel in bold font in letters not less than 3 mm vertical font size according to Annexure 5.

Fats and oils

23. (1) In relation to fats and oils, single or in combination, which have been used in foodstuffs, and in addition to the requirements of regulations 11 and 20—

(a) in the case of vegetable oil blends sold as an end product, the names of all the types of vegetable oils that might be present in the end product must be listed in the list of ingredients, separated by the expression "and/or";

(b) the names of ingoing fats and oils must specify from which type of “vegetable”, “animal”, “fish” or “marine” source the fat or oil originates from, in the list of

ingredients if the source of the fat or oil is not self-evident from the name of the fat or oil;

(c) in the case of vegetable fats and oils, where the oil could be derived from more than one part of the plant, e.g. palm fruit and palm kernel, the particular part of the plant from which the fat or oil is derived, must be included in the name of the fat or oil;

(d) when applicable, fats and oils must be further qualified by the term "fully hydrogenated" (all of the available carbon-carbon double bonds have been saturated by the addition of hydrogen atoms), or partially hydrogenated (not all the available carbon-carbon double bonds have been saturated by the addition of hydrogen atoms);

(e) in the case of an oil blend, margarine or fat spread, pictorial representation of any specific source of oil such as olive oil in the oil blend may not be depicted on the label unless that specific type of oil constitutes the highest percentage of the ingoing fat or oil.

(2) Oil or oil blend from plant origin may not claim "cold extraction", "cold-pressed", "mechanically pressed" or any other words with a similar meaning unless it complies with the definition of "cold extraction" in these Regulations.

Bulk stock

24. (1) Where a foodstuff is sold from a bulk stock container, such bulk stock container must be labelled in accordance with all the labelling requirements for individually pre-packaged foodstuffs, and the lettering must be of such a size and so displayed that it is easily legible at first glance without consumers having to turn the container around or upside down, unless the contents of the bulk container are individually packed and labelled in accordance with the requirements of these Regulations.

(2) In cases where a foodstuff is imported or sold in bulk other than by retail it must be accompanied by relevant trade documents reflecting all particulars required by these Regulations to appear on the label of a pre-packaged foodstuff.

(3) In cases where a foodstuff which is ordinarily sold in retail as individual units but in wholesale as multiple units per container, and label information becomes obscured and inaccessible to consumers as a result of the external packaging of the container in which it is transported and offered for sale, irrespective of whether clear shrink wrap is used or not, the following minimum labelling information must appear on the bulk or multi pack as and where it is most effective and practical for the brand owner and packaging type used:

(a) Name of the product;
(b) name and address of the manufacturer;
(c) special storage conditions;
(d) allergen information;
(e) batch code;
(f) an appropriate date marking.

(4) Bulk size cheese and deli-type processed meat loaves shall have a manufacturing date and a re-packaging date when sliced into smaller units on both the bulk size unit as well as the re-packaged units.

Small packages

25. The packaging of a pre-packaged foodstuff that has a total exterior area of 2000mm^2 or less, including single once-off use 10g or less sized packages of culinary herbs and spices, sauces, and condiments and 25g or less sized confectionary products are exempted from the requirements of labelling, except for the—

(a) declaration of the name or description;
(b) name and address of the manufacturer;
(c) manufacturing date;

(d) declaration of common allergens if applicable;

(e) declaration according to Regulation 43 if the product has undergone irradiation; and

(f) subject to Regulation 24(1) FOPL logo if applicable, unless sold from a bulk stock container.

Storage instructions

26. (1) Subject to regulations 4 and 5(e), words that indicate the appropriate storage instructions, when deemed appropriate by the manufacturer, before and after opening, must appear in bold font, upper-case letters not less than 3,0mm in vertical font height on the label.

(2) The manufacturer must determine the appropriate storage instruction relevant to the nature of the foodstuff, to ensure that safety and any specific quality attributes for which tacit or express claims have been made, are retained, and preserved.

Foodstuffs vending machines

27. (1) The front of a foodstuff vending machine or any mechanical device, whether attended to or not, by means of which foodstuffs are sold, must have a notice indicating the name of the foodstuff, except where such name appears on the label of the foodstuff in such a manner as to be easily visible and legible to a prospective purchaser from the outside of the machine.

(2) Pre-packaged foodstuffs which are required to bear a mandatory Front-of-pack label (FOPL) shall be packed in the vending machine in such a way that clearly display the foodstuff with the main panel on which the FOPL logos are clearly visible from the outside of the machine.

Pictorial representation

28. (1) The pictorial representation on the label or any advertisement of a pre-packaged foodstuff may not be presented in a manner that is false, misleading, deceptive or is likely to create an erroneous impression regarding the contents of the container or its character, origin, living conditions in the case of animal-derived products, its composition, quality, nutritive value, nature or other properties in any respect: Provided that a foodstuff garnish, foodstuff or ingredient not present in the container, if used in the pictorial representation, may not dominate the pictorial representation.

(2) Pre-packaged foodstuffs may not be described or presented on any label or in any labelling by words, pictorial or other devices which refer to or are suggestive, either directly or indirectly, of any other product with which such foodstuff might be confused, or in such a manner as to lead the purchaser or consumer to assume that the foodstuff is connected to such other product.

Labelling of pre-packed food additives

29. (1) The label of a pre-packed food additive or blend of food additives must comply with the latest revision of the Codex general standard for the labelling of food additives (CODEX STAN 107-1981) when sold as such.

(2) The label of pre-packaged food additives need not to be labelled with a nutritional information table.

General labelling requirements regarding food additives

30. (1) All additives which are added to a foodstuff must be indicated in the list of ingredients.

(2) (a) Additives, except those mentioned in regulations 32 to 35, which are added to, and used in a foodstuff to perform the function of one of the principal categories of additives listed in Annexure 1, may be indicated on a label by the name of the specific principal additive category, and if any additive is added to or used in a foodstuff to serve more than one such function, it must be indicated by the name of the category that represents the principal function performed in that foodstuff.

(b) In cases where it is preferable to refer to a subcategory name listed under any of the principal food additive categories, it must appear in the list of ingredients as follows:

(i) Name of principal food additive category such as emulsifier, and

(ii) in parenthesis directly behind it, the name of sub food additive category, such as clouding agent.

(3) Subject to the requirements of Regulations 32 to 35, both the E/INS number and the technological function of the additive must be indicated in the list of ingredients in either of the following formats:

(a) Technological function: common chemical name or E/INS number or

(b) Common chemical name or E/INS number of additive (technological function).

Flavourings

31. (1) Additives used solely for flavouring purposes must be labelled as “flavouring” in the list of ingredients without any further descriptors.

(2) Subject to regulation 4(c) and the relevant regulations made in terms of the Agricultural Product Standards Act, where a foodstuff contains a flavouring which represents a particular ingredient, but not the real ingredient itself, the words “flavouring” or “flavoured” must be part of the name or the descriptor of the product, to clearly indicate that a flavouring of an ingredient was used and not the real ingredient itself.

(3) Subject to regulation 19(1) and (4) and the requirements of the Agricultural Product Standards Act, in the case where a foodstuff contains a flavouring and the real ingredient itself, and both represent the same specific flavour, the foodstuff need not be labelled as a flavoured foodstuff in the name or description thereof.

(4) Subject to regulation 20, mixtures containing one or more flavourings, other ingredients such as salt, sugar, herbs, spices or other categories of food additives, intended for use in or on snack foods or in other foodstuffs, must be considered as being compound ingredients and must be labelled accordingly.

Tartrazine

32. A person may not sell a foodstuff containing the colourant Tartrazine, also known as E/INS 102 or Yellow No. 5, unless the words “Tartrazine (colourant)” or “colourant (tartrazine)” appear in the list of ingredients.

Preservatives

33. (1) The presence of a preservative must be indicated on a label according to the requirements of regulation 30(3).

(2) (a) In the case where sodium or potassium nitrites and sodium or potassium nitrates are used/added as curing agents, the curing agent, the technological function as well as the name of the additive must be indicated as follows: E.g.: “Preservative or colour retention agent: Sodium or Potassium nitrite or Sodium or Potassium Nitrate” whatever the case may be.

(b) In the case of sodium or potassium nitrite and sodium or potassium nitrate used as curing agents, the curing agent must be indicated as follows: “Curing agent(s): Sodium or Potassium nitrite or Sodium or Potassium Nitrate” whatever the case may be.

(3) When added sulphur dioxide or other sulphites are used at a level of more than 10mg per kilogram (mg/kg) foodstuff, the added sulphur dioxide or other sulphites must be declared.

(4) Subject to subregulation (3), where the added sulphur dioxide or other sulphites do not necessarily form part of the ingredients of a foodstuff, but are transferred to the foodstuff through contact with the packaging material, or where the skin of whole, unpeeled, fresh fruits and vegetables was treated with added sulphites, the presence of added sulphites, irrespective of the level, must be declared on the container, package or label or in close proximity to any bulk sale of unlabelled produce.

Antioxidants as additives

34. The presence of any antioxidant as an additive which is an additive that prolongs the shelf life of foodstuffs by protecting against rancidity, colour changes or other deterioration caused by oxidation or any abbreviation of its common chemical name, must be indicated in the list of ingredients on a label as follows: “anti-oxidant as an additive: common chemical name” or *vice versa*.

Artificial sweeteners (food additives)

35. (1) Artificial sweeteners shall be indicated by its common name in the list of ingredients, provided that the type of artificial sweetener, namely non-nutritive/intense sweetener, or steviol glycosides or polyols shall appear in brackets immediately following the name of the artificial sweetener; or the type of artificial sweetener followed by a semi-colon and the name of the artificial sweetener.

(2) A foodstuff containing polyols (sugar alcohols), singly or in combination, in excess of 50g/kg of the final product shall be labelled with the expression "excessive consumption may have a laxative effect"; provided that for sugar-free chewing gum the statement is required if the sugar alcohol content of the product exceeds 250g/kg.

(3) A foodstuff containing aspartame and aspartame-acesulfame salt must bear:

(a) the word "aspartame" or “aspartame-acesulfame salt” in the list of ingredients followed by an asterisk;

(b) an asterisk shall appear on a separate line directly below the list of ingredients followed by the words: " *Contains phenylalanine".

(4) In the case of the sweetener steviol glycosides, it shall be described as "Steviol Glycosides", or "Steviol Extract".

Modified starches, Processing aids and carry-over of additives

36. (1) Modified starches must always specify the method of modification (dextrin/maltodextrin roasted starch, acid treated starch, alkaline treated starch or enzyme treated starch).

(2) Processing aids which are a substance or material, not including apparatus or utensils, not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, a foodstuff, or its ingredients to fulfil a certain technological purpose during treatment or processing and which may result in the non-intentional but unavoidable presence of residues or derivatives in the final end product, need not be declared in the list of ingredients.

(3) Subject to regulations 32 to 35—

(a) a food additive, except preservatives, carried over into a foodstuff in an amount sufficient to perform a technological function in that foodstuff as a result of the use of raw materials or other ingredients in which the food additive was used, must be indicated in the list of ingredients; and

(b) a preservative, carried over into foodstuffs at a level less than what is required to achieve a technological function, are exempted from declaration in the list of ingredients.

(4) Notwithstanding the requirements of regulations 32 to 35, any additive or carrier for an additive, which is derived from a common allergen, must indicate the presence of the common allergen as described in regulation 37.

Allergens

37. (1) Where a foodstuff or its packaging material contains any one or more common allergens, the presence thereof must be indicated—

(a) in bold font if the allergen forms part of the name of the ingredient; or

(b) (i) in bold font in parenthesis (brackets) after the name of such ingredient in the list of ingredients, regardless of whether it is self-evident from the name of the ingredient: Provided that cow's milk may be indicated as milk only, or

(ii) in close proximity to the ingredient list in a list or block with the words "Allergens: (list allergens)";

(c) in the case of significant cereals other than "gluten-free oats" as per criteria in regulation 40(2)—

(i) the word "gluten" is indicated as described in paragraphs (a) and (b); and

(ii) if the common allergen is wheat or a derivative of wheat, the word "wheat" must be indicated as described in paragraphs (a) and (b), in addition to the word "gluten"; and

(d) in the case of sulphites, the presence thereof must be indicated when in an amount equal or more than 10ppm.

(2) The following ingredients derived from common allergens are exempted from the requirement to indicate appropriate allergen labelling:

(a) Cereals containing gluten:
  (i) Wheat based glucose syrups including dextrose;
  (ii) wheat-based maltodextrins;
  (iii) glucose syrups based on barley;
  (iv) cereals used for making alcoholic distillates including ethyl alcohol of agricultural origin;

(b) Fish and products thereof:
  (i) Fish gelatine used as carrier for vitamin or carotenoid preparations;
  (ii) fish gelatine or Isinglass used as fining agent in beer and wine.

(c) Soybeans and products thereof:
  (i) Fully refined soybean oil and fat;
  (ii) natural mixed tocopherols (INS306), natural D-alpha tocopherol, natural D-alpha tocopherol acetate, and natural D-alpha tocopherol succinate from soybean sources;
  (iii) vegetable oils derived phytosterols and phytosterol esters from soybean sources;
  (iv) plant stanol ester produced from vegetable oil sterols from soybean sources;

(d) Milk and products thereof (including lactose):
  (i) whey used for making alcoholic distillates including ethyl alcohol of agricultural origin;
  (ii) lactitol; and

(e) Nuts used for making alcoholic distillates including ethyl alcohol of agricultural origin.

Uncommon allergens

38. (1) The presence of uncommon allergens in or on the foodstuff or its packaging material, must be disclosed by manufacturers upon request by a consumer or an inspector as defined in the Act.

(2) The presence of goat's milk in a foodstuff must be indicated in the same manner as common allergens in terms of regulation 37.

(3) Notwithstanding the provisions of subregulation (2), a foodstuff that contains goat’s milk must have the following statement in close proximity to the name of the foodstuff on the main panel: “Allergenicity: Cow’s milk allergic individuals are at high risk to react to goat’s milk.”

(4) In the case of lupin and lupin-derived ingredients sold as such or as part of a foodstuff, the following statement must appear on the label: “Allergenicity: Peanut-allergic individuals are at high risk to react to lupin present in this product.”

Allergen cross contamination

39. If there is a risk for cross contamination of a common allergen in a foodstuff processing facility—

(a) due diligence must be exercised to prevent the occurrence of such contamination and an ACP must be implemented in accordance with guideline 7; and

(b) precautionary labelling "may contain (allergen)", may only be used if the following requirements are met:

  (i) Precautionary labelling must not be utilised to circumvent the implementation of Good Manufacturing Practices and an effective ACP.

  (ii) the risk, the manner of assessing the risk, and the steps taken to avoid the risk of allergen cross-contamination, must be documented in the ACP. In addition, the product may also be labelled with "allergen control program in place", in letters in the same font size as the rest of the font size used for the list of ingredients, at the end or under the list of ingredients.

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Allergen-related claims regarding gluten-free and naturally gluten-free foodstuff

40. (1) The claim “gluten-free” must not be permitted for a foodstuff that contains an ingredient that is or has been derived from any species of the significant cereals which contains equal to or more than 20mg/kg gluten in the end product where the level of gluten is determined by a protein-quantification method which meets the performance characteristics (as described in the Guidelines) and as recommended by Codex Standard 118-1979 (as described in Guideline 7).

(2) Foodstuffs containing pseudocereals which are non-grasses such as buckwheat, quinoa and wild rice, used in similar ways as significant cereals and not mixed with or cross- contaminated by any significant cereal, which by its nature be suitable for use as part of a gluten-free diet, may not be designated "special dietary", "special dietetic" or any other equivalent term, but may bear a statement on the label that "this product is by its nature gluten-free" or “naturally gluten free”: Provided that—

(a) it contains less than 20mg/kg gluten, where the level of gluten is determined by ~~by~~ a protein-quantification method which meets the performance characteristics (as described in the Guidelines) and as recommended by Codex Standard 118-1979; and

(b) these claims are not being permitted for any other foodstuffs.

(3) In the case of oats, the term “gluten-free oats”, may be used only if—

(a) the oats consistently show to contain less than 20mg/kg gluten, and the level of gluten is determined by a protein-quantification method which meets the performance characteristics (as described in the Guidelines) and as recommended by Codex Standard 118-1979 (described in Guideline 7); and

(b) due diligence is exercised to prevent cross-contamination with other significant cereals or gluten.

Allergen-related claims regarding hypoallergenic, non-allergenic or allergen-free foodstuff

41. A claim may not be made that a foodstuff—

(a) whether a single ingredient foodstuff or a compound foodstuff, is "hypoallergenic " or "non-allergenic" or similar wording, unless the foodstuff is modified by chemical or genetic means to reduce the quantity of endogenous allergens in such a way that it is not possible to detect the presence of any possible allergen with testing suitable for the specific allergen; or

(b) is free from any common or uncommon allergen or a similar claim, unless the foodstuff has been tested to confirm the absence of the allergen, using suitable testing for the specific allergen.

Misleading descriptions

42. (1) A word, statement, phrase, logo or pictorial representation which implies a message of being additive-free or veterinary medicine-free or which indicates the more humane treatment or rearing of foodstuff animals, such as, but not limited to, “grain fed”, “grass-fed”, “Karoo lamb”, “natural lamb”, “country reared”, “free range”, “pure”, will be permitted on the pre-packaged labelling and advertising of these products, provided the descriptor is linked to a specific protocol which is approved or registered with the Department of Agriculture or regulated in terms of the Agricultural Product Standards Act.

(2) (a) In the case of foodstuffs that are not regulated in terms of the Agricultural Product Standards Act, statements to the effect of being “fresh”, “natural”, “nature’s”, “pure”, “traditional”, “original”, “authentic”, “real”, “genuine”, “home-made”, “farmhouse”, “hand-made”, “selected”, “premium”, “finest”, “quality”, or “best” or words with a similar meaning are permitted: Provided the statement is compliant with the guidance criteria stipulated in Guideline 12.

(b) A statement that presents a foodstuff in a manner that is false, misleading, or deceptive or is likely to create an erroneous impression regarding the contents of the container or its character, origin, composition, quality, nutritive value, nature, or other properties in any respect that could mislead consumers, is not permitted.

(3) In the case of fish and other marine foodstuffs that are regulated in terms of the Compulsory Specifications Act, the statement “wild” is not permitted unless it is qualified as “wild caught”.

Irradiation

43. (1) The label of a foodstuff which has been treated with ionizing radiation must carry a written statement indicating the treatment in close proximity to the name of the foodstuff.

(2) The use of the international recognised foodstuffs irradiation symbol as illustrated by the Codex General Standard for the Labelling of Pre-packed Foods is optional, but when it is used, it must be on the main panel of the label.

(3) When an irradiated foodstuff is used as an ingredient in another foodstuff, it must be declared in the list of ingredients.

(4) When a single ingredient foodstuff is prepared from a raw material which has been irradiated, the label of the foodstuff must contain a statement indicating the treatment on the main panel.

Statements related to frozen foodstuffs

44. (1) Foodstuffs that were frozen and then thawed for subsequent sale—

(a) must not be labelled "fresh”; and

(b) must indicate the words "**PREVIOUSLY FROZEN**"—

(i) on the label of pre-packaged foodstuffs in bold upper-case letters not less than 3mm in vertical font height; or

(ii) on a notice placed in close vicinity of where the un-prepacked foodstuff is exhibited for sale, in clear view of, and easily legible to, the consumer.

(2) In the case of cooked or partly cooked frozen foodstuffs which have been thawed for subsequent sale, such foodstuffs must be accompanied by a notice on which the words "Previously frozen – do not refreeze", appear legibly in immediate proximity to such foodstuffs and in clear view of the customer.

(3) Foodstuffs which rely on chilling or freezing conditions for preservation, or semi- preserved foodstuffs, must bear on the main panel of the label the expression "Keep refrigerated" or "Keep frozen", as the case may be, in bold, upper-case letters not less than 3.0 mm in vertical font height.

Vegetarian claims

45. (1) A claim that a foodstuff is suitable for vegetarians must specify the type or category of vegetarian by adding one or a combination of suitable prefixes to the word "vegetarian" (such as but not limited to lacto-, ovo, honey-).

(2) In the absence of a suitable prefix, the word "vegetarian"- means that all ingredients and additives (refer to Guideline 8) used in an end product are of multi-cellular plant, fungal, algal, and bacterial origin.

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Nutritional information/facts

46. (1) Subject to regulation 74, a table with nutritional information or facts is mandatory on all foodstuff labels—

(a) except foodstuffs which are produced for sale by a small producer or a street vendor; no claims with a health or nutrition message shall be permitted on any food produced by a small business unless a table with nutrition information or facts is displayed on the foodstuff label and the requirements of regulation 50 are met;

(b) unless otherwise indicated by these Regulations; and

(c) unless the foodstuff is listed in Table 1 below.

TABLE 1: FOODSTUFFS THAT ARE EXEMPTED FROM THE MANDATORY REQUIREMENT TO BEAR NUTRITIONAL INFORMATION/FACTS UNLESS A CLAIM WITH A NUTRITION OR HEALTH MESSAGE IS MADE

Baking powder
Beer
Bicarbonate of soda
Cream of tartar
Coffee extracts and chicory extracts, whole or milled coffee beans and whole or milled decaffeinated coffee beans
Culinary herbs and spices and herb and spice extracts
Honey
Plain vinegars
Herbal and fruit infusions, teas (black, green, rooibos and honeybush), decaffeinated tea, instant or soluble tea or tea extract, which do not contain other added ingredients or additives other than flavourings, and which do not modify the nutritional value of the tea
Spray and cook type products

(2) Bread, defined by the Regulations Relating to the Fortification of Certain Foodstuffs, R.504 of 7 April 2002 and subsequent amendments and revisions, as

published under the Act, for which no claim with a nutrition or health message is made other than the fortification logo and claim “Fortified for better health”, is exempted from chemical analysis except for total sodium which must be analysed as required by the Regulations Relating to the Reduction of Sodium in Certain Foodstuffs and Related Matters, R.214 of 20 March 2013 and subsequent amendments and revisions, published under the Act.

(3) Nutritional information and facts must be presented on a label in the order and format as stipulated in Annexure 2: Provided that—

(a) the heading is "(TYPICAL) NUTRITIONAL INFORMATION/FACTS", where the word typical is optional;

(b) there is an indication of the following information directly beneath the heading or in the heading of column 3 of the nutritional information/facts table:

(i) The mass or volume of a single portion/serving;

(ii) the number of single portion/servings per container; and

(iii) a description of a single portion/serving in household terminology or measurements;

(c) compound foodstuffs that contain a liquor product as one of the ingoing ingredients shall declare the percentage alcohol on the main panel in bold font of which the font size is at least 3 mm in font height;

(d) nutritional information and facts are expressed per single portion/serving and per 100g for solid foodstuffs or 100ml in the case of liquid foodstuffs in the (applicable) format as per Annexure 2;

(e) nutritional information and facts are always presented in the tabular format as per Annexure 2, except in cases where the size of the label is restricted by the physical size of the product and less than 900mm^2 remains after the minimum requirements in terms of these Regulations have been met, the nutritional information/facts may be indicated in a linear format according to the format described in point 1.4 of Annexure 2;

(f) the appropriate unit of measurement appears after the nutrient name or the word "energy" or in a separate column directly after the first column with the names of the nutrients and energy: Provided that—

(i) the energy content of the foodstuffs is always declared in "kilojoules" or "kJ";

(ii) the energy value is calculated using the prescribed, applicable conversion factor listed in point 2 of Annexure 2;

(iii) the unit of measurement for energy and the nutrients indicated in Annexure 2 may not be altered to another unit of measurement;

(iv) total sodium may be converted to sodium chloride and indicated as "salt" in the nutritional information/facts table in which case both the total sodium and salt must be indicated in the said table as follows: Total Sodium ….mg/ Salt …. g and;

(v) the amount of each nutrient is declared by mass;

(g) no deviation from the formats in Annexure 2 is permitted.

(4) The following information, when applicable, must be provided beneath the nutritional information/facts table as footnotes:

(a) In the case where a foodstuff is packed in a liquid medium, for the purpose of these Regulations means water, or aqueous solutions of sugar, sugars or other sweeteners, salt, brine foodstuffs, acids, vinegar, fruit and vegetable juices in canned fruits and vegetables, or alcohol beverages in the case of typical traditional South African dishes, either singly or in combination and , determined as prescribed in the methods of inspection of medium, drained weight means the net mass, in grams, of the remaining solid component after the liquid medium has been drained for canned fruit R 135 of 18 February 2005, canned vegetables R1532 of 24 October 2003, or canned pasta products R903 of 15 September 2000 or subsequent amendments and revisions under the Agricultural Product Standards Act, the nutritional information shall bear a statement where relevant, to indicate whether the nutritional information applies to the drained weight or to the net contents of the container;

(b) a statement to the effect that the nutritional information refers to the ready-to-eat end product or the product as packed/sold, whatever is appropriate, unless it is already indicated as part of the heading of column four of the nutritional information/facts table;

(c) an indication of the method of analysis used to determine dietary fibre if a claim relating to any carbohydrate is made on the label; and

(d) an indication of the methodology for the determination of the total fat value, indicated as either “Chemically analysed with (name applicable analytical method”) or “Value obtained from (name source)”.

(5) For the purposes of this regulation, -

(a) **“drained weight”** means the net mass of the remaining solid component after the liquid medium has been drained unless otherwise defined in regulations made for specific foodstuffs under the Agricultural Product Standards Act; and

(b) **“liquid medium”** for the purpose of these Regulations means water, or aqueous solutions of sugar, sugars or other sweeteners, salt, brine foodstuffs, acids, vinegar, fruit and vegetable juices in canned fruits and vegetables, or alcohol beverages in the case of typical traditional South African dishes, either singly or in combination.

Additional requirements relating to the nutritional information table

47. (1) When nutrient values, obtained as a result of analysis, are transferred from the laboratory analysis report to the nutritional information table for labelling purposes, rounding off must be done according to the following principles:

(a) In the case of protein, any amino acids, dietary fibre, prebiotics, vitamins, minerals, bioflavonoids, carotenoids and omega-3 fatty acids, the values shall never be rounded off to indicate a value more than the analysed value and, in the case of *trans* fat, any sugars, sodium/salt, and total fat, or any fatty acid, excluding omega-3 fatty acids, the values shall never be indicated in values less than the analysed values;

(b) in the case of micronutrients, where necessary, no more than two decimal places (0.00) may be indicated, and in the case of macronutrients no more than 1 decimal places (0.0); and

(c) where, as a result of limitations in terms of analytical methodology, it is not possible to quantify the near absence of a nutrient in the nutritional information table, the word “trace” or “< level of detection" may be used to indicate the uncertainty about a precise value.

(2) Permitted tolerances for nutrient declaration in the nutritional information table on labels must comply with the following requirements:

(a) The laboratory must set tolerance limits based on the following principles:

(i) Tolerance levels must take into consideration—

(aa) specific public health concerns;

(bb) shelf-life;

(cc) accuracy of analysis;

(dd) processing variability and inherent liability and variability of the nutrient in the product; and

(ee) whether the nutrient has been added or is naturally occurring in the product;

(ii) the values used in nutrient declaration must be weighted average values derived from data specifically obtained from analyses of products which are representative of the product being labelled;

(iii) in those cases where a product is subject to a Codex standard, requirements for tolerances for nutrient declaration established by the standard must take precedence.

(b) The laboratory must include the following information in the laboratory analysis report:

(i) Subject to paragraph (9)(b), the number of samples per product submitted for analysis: Provided that a single sample, except in the case of fake foods, shall never be acceptable as a true representation of the product’s typical nutritional information;

(ii) product name;

(iii) batch numbers;

(iv) barcodes; and

(v) date of manufacture of each sample submitted.

(c) The laboratory must determine the tolerance limits for each nutrient according to the—

(i) Codex GUIDELINES ON ESTIMATION OF UNCERTAINTY OF RESULTS, *CAC/GL 59-2006;* and

(ii) Codex GUIDELINES ON MEASUREMENT UNCERTAINTY, *CAC/GL 54-2004.*

(3) Nutrients for which a Nutrient Reference Value (NRV) value is indicated in Annexure 3, shall be expressed as a percentage of the NRV per single portion/serving, in an additional column to the right of the mandatory formats in point 1 of Annexure 2.

(4) For the purposes of verifying the validity of claims with a health or nutrition message, whatever may be applicable, against qualifying criteria in Table 2 of regulation 65, Parts A and B, “Conditions for Nutrient Content Claims”, the standard NRV of individuals of the age beginning at 37 months and older as indicated in Annexure 3 applies.

(5) (a) An indication of the mass, volume, or number, whatever is applicable, of a single portion/serving must be an appropriate serving/portion size which is consistent with single serving/portion size typically recommended by health professionals for maintenance or achievement of a healthy weight and good health.

(b) Single portion/serving size must not be manipulated—

(i) to sell supersize single portion/servings for the purpose of increasing sales, whether prepacked, non-prepacked or transparently packed as ready-to-eat foodstuffs; or

(ii) to qualify for a nutrient or health claim.

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(c) Single portion/serving size must also be expressed in descriptive household measurements.

(6) When the recipe of a foodstuff is altered in any way in terms of changes to ingoing ingredients that may affect the nutritional properties of an end product, the nutritional information of the end product as well as the list of ingredients must be corrected without delay.

(7) A claim may not be made on the label of a foodstuff that the foodstuff has acquired nutritive value from nutrients used as additives when added for a technical function.

(8) (a) A claim may not be made—

(i) that a foodstuff has a particular value or benefit if the value or benefit is derived fully or partly from another foodstuff that is intended to be consumed with the foodstuffs in relation to which the claim is made, but is not in the container when sold;

(ii) regarding any nutrient content, energy value or health benefit of a foodstuff or ingredient or substance not included in the container; and

(iii) regarding any nutrient content, energy value or health benefit of an ingoing, unprocessed, single ingredient agricultural product if the same ingredient is being processed during the manufacturing process.

(b) Subject to paragraph (a), in the case where the product as sold requires further processing (preparation, baking or cooking) after addition of ingredients not included in the foodstuff as sold, the nutritional information and facts of the foodstuff prepared according to the manufacturer's instructions and ready to use or eat must be added in an additional column to the right of the column indicating the nutritional information per 100 ml/ 100g of prepared product in the applicable table with nutritional information.

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(9) (a) Subject to regulation 46, where a claim with a nutrition or health message is made—

(i) the nutritional information and facts as required by these Regulations must be the real, typical values as determined through chemical analysis in accordance with the methods recommended in these Regulations, Guidelines or Codex, and where no specific methods are recommended, a method which has been accredited by SANAS, the South African National Accreditation System, a statutory body governed by the Accreditation for Conformity Assessment, Calibration and Good Laboratory Practice Act, 2006 (Act No. 19 of 2006); or ILAC, the International Laboratory Accreditation Co-operation;

(ii) the nutritional information must be the nutritional information and facts as per point 1.1 of Annexure 2 plus the appropriate nutritional information of the substance, which is the subject of the claim, as indicated in point 1.2 of Annexure 2.

(b) Sampling of the foodstuff for the purpose of nutritional analysis must be done according to the Codex GENERAL GUIDELINES ON SAMPLING, CAC/GL 50-2004 and must be—

(i) representative of the product as typically produced;

(ii) based on a laboratory analysis report;

(iii) verified at least once every three years by analysis and kept on record, unless formulation changes were made which necessitates re-analysis; and

(iv) analysed in accordance with the methods stipulated in these Regulations or where no method is stipulated, by methods approved and recommended by the Codex.

(c) The manufacturer must—

(i) compile a report on the details of how the sampling was conducted based on the Codex GENERAL GUIDELINES ON SAMPLING, CAC/GL 50-2004;

(ii) keep the analysis report referred to in subregulation (1) on record, and provide copies of the report to any food business operator upon request;

(iii) not sell the product until the laboratory analysis report and the supplier ingredient files are up to date and on record as per the requirements of regulation 2(4); and

(iv) when presenting the samples to a reputable laboratory for analysis, inform the laboratory that the analysis is for labelling purposes and that the laboratory report must include the information requested in subregulation (2).

(10) Subject to regulation 46, where nutritional information is provided on the label in the absence of a claim with a nutrition or health message, the following information sources may be used:

(a) Labelling in the case of single ingredient foodstuffs:

(i) Nutritional information and facts obtained from the supplier ingredient information file referred to in Guideline 1; or

(ii) chemical analysis from a reputable laboratory; or

(b) Labelling in the case of a multi-ingredient foodstuff:

(i) Analytical data obtained from the supplier ingredient information files referred to in Guideline 1;

(ii) chemical analysis by a reputable laboratory; or

(iii) recipe calculations based on information sourced from the supplier ingredient information files referred to in Guideline 1.

(c) (i) The nutrient content of a multi-ingredient foodstuff can be based on

(aa) recipe calculations using the analytical nutrient values of the individual recipe ingredients, such as the values of single ingredient agricultural; or

(bb) commodities and other recipe ingredients, such as cake flour.

(ii) The nutrient values for these single ingredient commodities and recipe ingredients must be taken from supplier ingredient information files or analytical data.

(iii) Appropriate methodology must be applied for the calculation of the nutrient content of the dish.

(iv) When the calculation is based on raw recipe ingredients, provision must be made for yield and retention factors, where applicable.

(d) In the case where the glycaemic carbohydrate value is not calculated by difference by using the following formula, the values for total sugars must be analysed or imputed from other sources:

Glycaemic/Available carbohydrate = 100 g – [moisture (g) + protein (g) + fat (g) + dietary fibre (g) + alcohol (g) + ash (g) + non-glycaemic polyols]

(11) The container or the way it is packaged must not obscure the list of ingredients or nutritional information when the consumer picks up the product from the shelf.

PART III:

GENERAL INFORMATION ON FRONT OF PACKAGE LABELS, HEALTH AND NUTRITIONAL CLAIMS

General information and conditions

48. (1) A claim with a nutrition or health message—

(a) which is not addressed in these Regulations, is not permitted on the labels or in any advertisement thereof.

(b) is permitted for a single ingredient—

(i) if that ingredient is the end product intended for sale; and

(ii) if that ingredient is not further processed in the manufacturing process when used as an ingoing ingredient of a compound foodstuff.

(2) (a) These regulations apply to the generic names, brand names or trade-mark names; generic names, brand names or trademark.

(b) The names contemplated in paragraph (a) may not be used to mislead consumers with regards to the generic or specific nutritive properties or generic or specific health-giving properties, through a play with words or parts of words which could be interpreted as or related to an energy, nutrition, non-addition of sugar or salt, ingredient content or health claim.

(c) Notwithstanding paragraph (b), generic names, brand names or trade-mark names may be used if a foodstuff is eligible, according to the Nutrient Profiling Model for nutrition and food claims, to make a claim with a health or nutrition message, complies with the relevant criteria for the said claim and does not need to bear FOPL.

(3) Where nutritional information about a particular nutrient or substance is provided in the nutritional information table, but no claim with a nutrition or health message is made outside the table on the label, such information is not regarded as a claim: Provided that—

(a) should certain information be emphasised in any manner in the nutritional information table or the list of ingredients or anywhere else on the label, such as but not limited to colour differences of the letters or numbers, different background colour than the rest of the information, differences in font types, letter sizes or in any other manner, it must be considered that a claim is made for that particular nutrient; and

(b) the substance is not a scheduled substance, regulated under the Medicines Act.

(4) Foodstuffs which are produced for sale by a small producer, or a street vendor may not make or bear any claim with a nutrition or health message.

(5) No nutritional labels, label systems, panels or simplified nutritional information are permitted on the label of a foodstuff other than, where applicable, the FOPL label required under regulation 51.

Enrichment of foodstuffs

49. Subject to regulations 50, 51, 52, 55 and 58(1) to (9), and in line with the most recent Codex Alimentarius General Principles for the Addition of Essential Nutrients to Foods CAC/GL 9-1987—

(a) nutrients may only be added to a foodstuff which—

(i) requires a list of ingredients but which is not a fake food as determined in regulation 56;

(ii) passed the Profiling Model for FOPL and is not required to bear FOPL under regulations 51 and 52;

(b) nutrients which are added to improve the nutritional properties of a foodstuff, in the case of vitamins or minerals, added for both enrichment or fortification as per the Regulations Relating to the Fortification of Foodstuffs—

(i) may not exceed 100% NRV levels per single portion/serving;

(ii) must be one of the approved compounds according to the most recent Codex document "Advisory Lists of Nutrient Compounds for Use in Foodstuffs for Special Dietary Uses intended for Infants and Young Children": Provided that the addition of fluoride and aluminium in any form is prohibited in all foodstuffs intended for any age;

(c) enrichment with any nutrient or common allergen is not permitted for raw-processed meat including raw-processed poultry;

(d) enrichment with any nutrient is not permitted for fake foods, beer, and products under the Liquor Products Act, irrespective of whether it has been dealcoholized or not; and

(e) foodstuffs required to carry a FOPL in terms of regulations 51 and 52 may not carry any claims relating to the enrichment of the foodstuff under this regulation and regulation 50.

Nutrient Profiling Model for South Africa for the purpose of screening foodstuffs for their eligibility to make any claim with a nutrition or health message

50. (1) A foodstuff offered for sale in any manner, whether pre-packed, naked, non-packed or ready-to-consume may not make a claim with an energy, nutrition or health message or use any endorsement logo in terms of regulation 9(1)(a)(iii)-

(a) if a foodstuff is required to bear a FOPL on the main panel because it exceeds the cut-offs for key nutrients or contain artificial sweeteners under the profiling model contemplated in regulations 51 and 52; and

(i) the label displays a nutritional information table under regulation 46;

(ii) the foodstuff successfully qualifies with the screening criteria of the Nutrient Profiling Model for health and nutritional claims as outlined in Annexure 8, using the electronic calculator which is available on the website of the Department of Health;

(iii) the foodstuff complies with the criteria particular to the specific claim, as addressed and permitted by these Regulations; and

(iv) the foodstuff complies with the requirements of regulation 55, where applicable.

(2) Any food that is produced by a small business may not carry a claim with an energy, nutrition, or health message unless the requirements of this regulation are complied with.

Profiling Model for Foodstuffs for South Africa for the purpose of FOPL logos on labels of foodstuffs that may not be marketed or advertised to children

51. (1) Pre-packaged foodstuffs are required to bear a mandatory Front-Of-Pack-Labelling (FOPL) if the foodstuff-

(a) contains added saturated fat, added sugar, added sodium; and

(b) which exceed the nutrient cut-off values for total sugar, total sodium or total saturated fatty acids outlined below; or

(c) subject to regulation 55(1), contain any artificial sweeteners;

Nutrient cut-off values	
Nutrient	**Value indicated in nutritional information table**
Total sugar(s) in g	Solids: ≥10.0g per 100 g
	Liquids: ≥5.0g per 100 ml
Total Saturated fatty acids in g	Solids: ≥4.0g per 100 g
	Liquids: ≥3.0g per 100 ml
Total Sodium in mg	Solids: ≥400mg per 100 g

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	Liquids: ≥100mg per 100 ml
Artificial sweeteners	
Contain any added artificial sweetener	Bear the applicable logo warning as per Annexure 10

(d) In the case of foodstuffs that require further processing (preparation, baking, cooking, or mixing) after addition of ingredients not included in the foodstuff as sold, the values for purposes of assessing compliance with the nutrient cut-offs above is the column of the nutritional information and facts containing values of the prepared product as required in regulation 47(8)(b).

(e) For the purposes of this regulation and subject to other relevant existing legislation, a foodstuff or beverage is considered a solid or a liquid based on the ordinarily use of such foodstuff and the unit of measurement as grams or millilitres indicated on the label as per requirements specified in any other existing legislation.

(2) Any foodstuff required to bear any FOPL logo, as described in Annexure 10, must: -

(a) display such logos on the front of pack/main panel of the package;

(b) the logos shall cover 25% of the front of pack package according to the specifications outlined in Annexure 1; and

(c) the size of the front of the package for purposes of determining the size of the FOPL shall be calculated using the following formula based on the shape of the package:

Formulas for calculation of principal display panel	
Rectangle	Height x Width of largest side
Cylindrical shape	40% of height x circumference
Special Cylindrical shape	40% of Heigh x circumference OR Area of the Lid (whichever is greatest)

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Tapered Tube	40% of the height x average of the top and bottom circumference
Other Shapes	40% of total surface

(d) To ensure the legibility of the logos and FOPL, the following ratios between the surface area of the front of the package and the minimum width of a single logo shall apply:

Front of Package Area	Minimum width of one logo
<40s.cm	15 mm
>40 s.cm and <60 s.cm	18 mm
>60 s.cm and <100 s.cm	20 mm
>100 s.cm and <200 s.cm	25 mm
>200 s.cm and <300 s.cm	30 mm
>300 s.cm	35 mm

(e) the FOPL logos on the front of the pack must:

(i) correspond to those nutrients which exceed the FOPL cut-offs;

(ii) be prominently visible to a consumer when product is displayed and may not be obscured, removed, or damaged;

(iii) placed on the front of pack/main panel of the container's label and anchored to the top right-hand corner of the label in the configurations and to the specifications outlined in Annexure 10;

(iv) together with the white background prescribed in Annexure 10, cover 25 per cent of the front of pack as calculated in terms of paragraph (d);

(v) be integrated into the packaging of the foodstuff insofar as practicable and the use of stickers must be permitted where the size of the container or existing label cannot accommodate the size of the label; and

(vi) the order of the logos shall use the exclamation mark as the first, anchoring logo and be followed by sugar, saturated fat, sodium and then where applicable, artificial sweeteners.

(3) The FOPL logos must appear on the main panel/front of pack of the label in the top right corner according to the specifications for logo design colour, dimensions, background, and other aspects related to the logo specification as per Annexure 10.

(4) Foods for Special Medical Purposes (FSMPs) and Infant formula up to the age of 6 months are exempted from bearing any FOPL logo.

(5) FOPL may not-

(a) be used to replace the mandatory (typical) nutritional information table in Annexure 2.

(b) be used for any other nutrient that improve the overall nutritional status of the foodstuff.

(c) be marketed to children.

(d) make any claim with an energy, health, or nutrition message irrespective of whether the foodstuff's nutritional profile passes the Nutrient Profiling Model referred to in regulation 50.

(e) be enriched.

(f) bear any endorsement logo related to reducing the risk of any non-communicable disease referred to in regulation 9(1)(a)(iii).

(g) shrink the label deliberately in size to diminish visibility of the FOPL and shall be subject to letter size requirements in all cases.

Marketing Restrictions for foodstuffs that may not be advertised to children

52. (1) (a) This regulation applies to any packaged food item that carries a FOPL as described in regulation 51

(b) The package or label or advertisement of foods carrying the FOPL shall not–

(i) depict or contain reference to-

(aa) any celebrities, sport stars, cartoon-type character, puppet, computer animation or similar strategy; or

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(bb) a competition or a token, gift, or collectable items which appeal to children, in order to encourage the use of such unhealthy foodstuffs;

(cc) children in mixed groups with young adults older than 18;

(ii) abuse positive family values such as portraying any happy, caring family scenario, on a label or package in order to encourage the purchase for consumption;

(c) encourage or condone excess consumption or excessive portion sizes;

(d) undermine the promotion of healthy, balanced diets;

(e) encourage or promote an inactive lifestyle; encourage or promote unhealthy eating or drinking habits;

(f) omit undesirable aspects of a food's nutritional profile, contain any misleading or incorrect information about the nutritional value of the product;

(g) be represented as a substitute for meals;

(h) be misleading about the potential benefits from consumption of the unhealthy food;

(i) create a sense of urgency designed to encourage purchase or consumption;

(j) depicting in any way a brand name of a food requiring a FOPL logo, or a catering establishment that commonly sell foodstuffs requiring a FOPL logo, on footwear and other clothing items offered for sale; or

(k) depicting a brand name of a food requiring a FOPL logo, or a catering establishment that commonly sell foodstuffs requiring a FOPL logo, on any other items offered for sale or donation.

(2) (a) Any advertising depicting products carrying the FOPL must include the logos of the FOPL the product is required to carry in terms of regulations 51and 52.

(b) Notwithstanding Regulation 2(1) of these Regulations, any foodstuff offered for sale, irrespective of whether it is pre-

packaged or sold, in or on or from a catering establishment, as ready-to-eat foodstuffs-

(i) must comply with regulations 51(5(c) and 6) of said Regulations in terms of general marketing of these foods to children and advertising.

(ii) must comply with this regulation of said Regulations in terms of advertising to children.

(3) In addition, such advertisements should carry a warning in capital letters on visual or multimedia advertisements or at the end of audio advertisement.

(4) The warning contemplated in subregulation (3), must-

(a) be clearly audible in the case of an audio advertisement, and in case of visible advertisements in big, bold font, clearly and the legibility thereof shall not be affected by any other matter, printed or otherwise;

(b) be on a space specifically devoted for it which must be at least one eighth of the total size or length of the advertisement as the case maybe; and

(c) be in black on a white background, as follows: -

WARNING:

This product is high in [insert key nutrients] / contains artificial sweeteners. Excessive consumption may be detrimental to your health.

Use of South African Food Based Dietary Guidelines

53. (1) The Food Based Dietary Guidelines statements as indicated in Guideline 9, may—

(a) only be used exactly as quoted in the table in Guideline 9; and

(b) only be used when the foodstuffs passed the Nutrient Profiling screening process successfully.

(2) The Food Based Dietary Guidelines statements as indicated in Guideline 9 must—

(a) be relevant and appropriate for the foodstuffs group and type of product on which it is used, in accordance with the examples in Guideline 9;

(b) comply with the requirements of these Regulations in general where and when applicable; and

(c) comply specifically with regulation 55.

(3) Any foodstuff which is required in terms of regulation 51 to bear one or more FOPL logo shall not bear any Food Based Dietary Guidelines statement.

Claims on packaged water

54. An energy, nutrition, ingredient content, health claim, any other claim with a nutrition or health related message is not permitted for packaged water, except the following Food Based Dietary Guideline message for water: “Drink lots of clean safe water”.

Foodstuffs containing added purified, crystalline fructose ($C_6H_{12}O_6$), or added non-nutritive sweeteners

55. (1) Notwithstanding regulation 36, a foodstuff which contains added crystalline fructose ($C_6H_{12}O_6$) or added artificial sweeteners including tabletop artificial sweeteners, may not make any claim with an energy, nutrition or health message or carry any endorsement logo concerning health unless conclusive scientific proof can demonstrate—

(a) that according to Guideline 15, scientifically substantiated benefits to health in general, as well as a reduction of the risk of non-communicable disease, including obesity will result; and

(b) that any of these substances do not contribute to the risk of developing any non-communicable disease in the long term of 20 years or more.

(2) Any foodstuff containing added fructose must bear the following warning on the main panel of the label in bold black letters not less than 3 mm in vertical font height: "**High intakes of fructose daily may lead to metabolic complications such as high plasma cholesterol, triglycerides or LDL, insulin resistance and abdominal obesity.**"

Fake foodstuffs

56. (1) A fake foodstuff of which examples are indicated in Guideline 10 (solid or liquid) may not—

(a) make any claim with an energy, health, or nutrition message;

(b) be enriched; or

(c) bear any endorsement logo referred to in regulation 9(1)(a)(iii).

(2) Fake foods which contains artificial sweeteners may bear a FOPL logo(s) in terms of advertising and must not be advertised or marketed to children according to Regulation 51 and 52.

Cosmetic claims

57. A claim related to the use of the word beauty in any context related to physical beauty or any other cosmetic effect, in terms of any foodstuff, ingoing ingredient or substance must, unless specifically addressed by these regulations, is considered an illegal health claim.

Claims represented through pictures

58. Claims in relation to an energy, nutrition, ingredient content or health message may not be made through pictures, logos, or any other visual, non-textual marketing to promote the sale of a foodstuff to children, young children and infants if the—

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(a) foodstuff may not be commercially marketed to children;
(b) picture, logo, or any other visual, non-textual marketing implies an unauthorised claim according to these regulations; and
(c) picture, logo, or any other visual, non-textual marketing is misleading.

PART IV:

NUTRITION CLAIMS

Energy, nutrient, and other content-related claims

59. (1) Subject to regulation 48(1), any claim with a nutrition or health message, is applicable for the end product as intended for sale.

(2) Any claim that describes the level of a nutrient contained in the foodstuff or the energy provided by the foodstuff must comply with the applicable conditions in these regulations.

(3) When a nutrient content or energy claim that is listed in Table 2 is made, the conditions specified in Table 2 for that claim apply.

(4) A nutrient content or energy claim may not be worded in any other way than the stipulated wording as specified in column 2 of Table 2, Parts A and B.

(5) A person may not use words such as “good source” or “enriched” or “enriched with (name of nutrient)” or any similar wording in relation to energy or the nutrients mentioned in Table 2 of regulation 65 as a substitute for the prescribed wording options for claims in column 2 of Table 2, Part B.

(6) A person may not use words such as “X% fat free” (or any other nutrient or energy referred to in Part A of Table 2) free as a substitute for the prescribed wording options in Table 2, Part A.

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(7) (a) In the case where a mineral (such as iron oxide) is added to a foodstuff, the name of the compound from which the elemental mineral was derived must be listed in the list of ingredients.

(b) The name of the elemental mineral (such as iron) only must be mentioned in the appropriate table with nutritional information.

(8) (a) Vitamins and minerals which are present, either naturally or added, in amounts of less than 5% of the NRV for individuals from 37 months and older as referred to in Annexure 3 per single portion or serving, must not be declared in the nutritional information or facts table, except in the case of food vehicles and packaged water: Provided that where vitamins or minerals are present in amounts between 5% and 15% of the NRVs, they may be listed in the nutritional information table but no claim for any of them is permitted.

(b) Where vitamins or minerals are present in significant amounts of 15% or higher per serving, the Table below can be consulted to determine—

(i) whether the said vitamins or minerals may be listed in the nutritional information or facts table;

(ii) whether claims are allowed; and

(iii) what the prescribed wording for claims would be.

NRV for vitamins and minerals	**May a claim be made?**	**May it be listed in the nutritional information table?**
0 - <5%	No	No
5% - <15%	No	Yes, voluntary
15% - < 30%	Yes – “source of” or “contains” or “with added”	Yes, mandatory
30% or more	Yes – “high in”	Yes, mandatory

NRV for vitamins and minerals	May a claim be made?	May it be listed in the nutritional information table?
60% or more	Yes – "very high in" or "excellent source"	Yes, mandatory

(9) Where two or more conditions for a nutrient content claim are required in Table 2, (Parts A and B), the foodstuffs must meet all the conditions in order to qualify for the claim.

Dietary fibre content claims

60. (1) Subject to applicable conditions in Table 1—

(a) the analytical values for dietary fibre content must be indicated in the table with nutritional information as required per Annexure 2 and the method of analysis used to measure the dietary fibre content must be indicated beneath the nutritional information or facts table as a footnote, or in parenthesis after the word dietary fibre in the aforementioned table: Provided that—

(i) the method of analysis used to measure dietary fibre corresponds with the applicable criteria in Table 2, Part B;

(ii) where the analytical method also measures non-carbohydrate components such as lignin which is naturally associated with the polysaccharides in plant cell walls or where lignin and other associated non-carbohydrate components were extracted and reintroduced into the foodstuffs at any stage, these non-carbohydrate components must be considered part of dietary fibre; and

(iii) any Maillard reaction products must, if present, be quantified and subtracted from the total to obtain the correct value for dietary fibre.

(b) and subject to regulation 59(9), any suitable method as indicated in the Guideline 2 to measure dietary fibre, may be used; and

(c) synthetic edible carbohydrate polymers or purified non-starch polysaccharides such as powdered cellulose (INS 460ii) and cellulose gum (INS 466) require pre-market approval, if used to make a content claim.

(2) A dossier must be prepared and submitted to the Directorate: Food Control that demonstrates whether INS 460ii and INS 466 have the same health benefits as non-starch polysaccharides from fruits, vegetables, and wholegrains, using Guideline 15 "Guidance document for preparing a submission of food health claims" and submitting it to the Directorate: Food Control, Department of Health.

Protein content claims

61. A claim may not be made on the label of a foodstuff regarding the protein content of that foodstuff, unless the following requirements are complied with:

(a) the conditions, as applicable, specified in Table 2, Part B must be met; and

(b) the foodstuff must provide protein quality of which the analysed amino acids of the foodstuffs, must contain at least 100% of each of the amino acids as per the reference amino acids pattern listed in Annexure 4.

Fatty acid content claims

62. In addition to the conditions of Table 2, Parts A and B, where a nutrient content claim is made regarding the amount of total fat or the amount or type of any fatty acid or cholesterol, excluding omega-3 fatty acids, the real analytical values of all the following fatty acid components and cholesterol must be indicated in the table with nutritional information, immediately after the declaration of total fat:

Total Fat … g

of which saturated fatty acids … g

of which *trans* fat as defined in the latest version of Regulations Relating to *Trans*-fat, R127 of 17 February 2011 .. .g

monounsaturated fatty acids …g

polyunsaturated fatty acids …g
Cholesterol …mg

Omega-3 fatty acid content claims

63. For claims, particularly on omega-3 fatty acids, all the omega-3 fatty acids must be specified, and the real analytical values of all the following fatty acid components must be indicated in the table with nutritional information, immediately after the declaration of fat:

Total Fat …g
of which saturated fatty acids ...g
monounsaturated fatty acids…g
polyunsaturated fatty acids…g
of which omega-3 fatty acids…mg
of which ALA …mg
EPA …mg
DHA …mg
DPA …mg

Content claim for antioxidant as nutrient

64. (1) Subject to the requirements of these regulations, no content claim for an antioxidant as nutrient, especially vitamins A, C or E, riboflavin, copper, selenium, zinc, polyphenols in olive oil, beta carotene, lycopene, lutein, or zeaxanthin, may be made.

(2) A generic claim or generic reference on a label or in advertising about the presence of an “antioxidant” in a foodstuff may not be made unless the antioxidant as a nutrient is identified by the specific name of the anti-oxidant as nutrients in subregulation (1), followed by the word “antioxidant” (e.g. “Vitamin C (Antioxidant)”): Provided that the minimum amount of the particular antioxidant present in a single portion or serving is not

less than 30% of the NRV for the particular antioxidant, and in the case of the carotenoids: beta-carotene, lycopene, lutein and zeaxanthin, for which an NRV does not yet exist, the value consistent with “high in” in Table 2, must be considered the minimum amount per single portion or serving.

(3) Reference to the ORAC score may not be made about an “antioxidant” naturally present in or added to a foodstuff.

(4) For the purposes of this regulation: -

(a) “ORAC” means Oxygen Radical Absorption Capacity assay which measures the degree of inhibition of peroxy-radical-induced oxidation by the compounds of interest in a chemical milieu and measures the value as Trolox equivalents and includes both inhibition time and the extent of inhibition of oxidation; and

(b) “antioxidant as nutrient” for the purpose of nutrient content claims, means vitamins A, C or E, riboflavin, copper, selenium, zinc, polyphenols in olive oil, beta carotene, lycopene, lutein, or zeaxanthin;

Ingredient content claims

65. (1) The claims in subregulations (2) to (7) are considered nutrient content claims and are subject to the same conditions that are applicable to nutrient claims unless otherwise indicated.

(2) Claims that meat is trim, lean, extra lean, or similar claims: In the case of minced meat, processed meat and fresh, raw-processed meat and poultry cuts the percentage fat must be indicated on the scale label or following the product name:

Lean, trim or trimmed of fat or any similar wording	$\geq$ 5 to $\leq$ 10% of fat as analysed
Extra lean, extra trim or any similar wording	$\leq$ 5% of fat as analysed

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(3) (a) When a polyol is used as a sweetener in a foodstuff—

(i) the relevant nutritional information must be indicated in the space provided for it in the nutritional information or facts table as per point 1.2 of Annexure 2; and

(ii) if the foodstuff qualifies for a claim "sugar-free", the statement "Not an energy-free foodstuff" must appear directly beneath the claim.

(b) A foodstuff containing polyols in excess of 50g/kg of the end product must be labelled with the expression "excessive consumption may have a laxative effect": Provided that for sugar-free chewing gum the statement is required if the polyol content of the product exceeds 250g/kg.

(4) (a) An ingredient content claim which refers to "wholegrains" in any manner is permitted if—

(i) in the case where recombined or wholegrain flour or meal is used in a foodstuff, the claim "wholegrain" must be preceded by word "recombined", and in the case of wholegrain flour or meal followed by the word "flour" or "meal";

(ii) the percentage QUID as well as the GI category for wholegrain, recombined wholegrain flour/meal, partially wholegrain or partially wholegrain foodstuff, whatever the case may be, must be indicated as part of the content claim as follows:

"A (QUID) % wholegrain [name of grain] or partially wholegrain [name of grain] or recombined wholegrain (name of the grain) flour or meal foodstuff: Provided that a logo for the wholegrain concept may only be used if not less than 97% of the product consists of wholegrains.

(b) A logo depicting the wholegrain concept is permitted if the end product contains at least 75% whole grains.

(5) Claims that a foodstuff contains prebiotics: In order to make a content claim about any prebiotic—

(a) the foodstuff must have at least 2g pure prebiotic per single portion or serving (solids and liquids);

(b) the prebiotic must be one or more or a combination of the following prebiotics:

(i) trans-galacto-oligosaccharide;

(ii) inulin;

(iii) oligofructose;

(iv) fructo-oligosaccharides (FOS); or

(v) galacto-oligosaccharides (GOS);

(c) the type of prebiotic and the source thereof in brackets must be declared in the list of ingredients and the amount thereof must be declared in the nutritional information/facts table in the designated place according to point 1.2 of Annexure 2; and

(d) where the criteria mentioned in regulation 63 for a content claim for prebiotics are complied with, the following generic health claim may be used on the label: "Prebiotics beneficially affects the intestinal flora by selectively stimulating the growth of the good or beneficial gut flora or micro-organisms or positively affects intestinal health."

(6) Non-addition claims related to foodstuffs means any claim where mono-and disaccharide-containing ingredient or sodium chloride or any sodium salt has not been added to a foodstuff, either directly or indirectly where the ingredient is one whose presence or addition is permitted in the foodstuffs and which consumers would normally expect to find in the foodstuff—

(a) Claims regarding the non-addition of any mono- and disaccharides to a foodstuff such as no sugar", "no sugar added", "no added sugar" or "no free sugar" or other words with a similar meaning, may not be made for end product foodstuff unless—

(i) the end product is a single ingredient agricultural product of which intrinsic sugars are naturally occurring, are always accompanied by other nutrients and therefore form an inherent part of the foodstuff;

(ii) the end product is a fresh, single fruit juice or a single, fresh vegetable juice as defined by these or relevant regulations under the Agricultural Product Standards Act;

(iii) the end product is not a fruit or vegetable juice or concentrate thereof, which is blended with another fruit juice or concentrate thereof in order to comply with a certain sweetness (brix) requirement provided for in the relevant regulations under the Agricultural Product Standards Act;

(iv) the foodstuff contains no compound ingredients of which any sugar is an ingoing ingredient or intrinsic sugar (such as but not limited to jams, jellies, sweet confectionary and chocolate, sweetened fruit pieces);

(v) no sugars or source thereof have been added to the foodstuff, irrespective of the technological purpose thereof, (such as but not limited to sucrose, glucose, fructose, lactose, honey, molasses, corn and other syrups, malt, isomaltulose, whey powder, milk solids) and irrespective of whether the added sugar or source is an intrinsic or an added sugar); or

(vi) the sugar content of the foodstuff itself has not been increased above the amount contributed by the ingredients, by some other means such as the use of enzymes to hydrolyse starches to release sugars.

(b) Claims regarding the non-addition of sodium salts to a foodstuff, including “no added salt”, may be made if—

(i) the foodstuff contains no added sodium salts;

(ii) the foodstuff contains no ingredients that contain added sodium salts;

(iii) the foodstuff contains no ingredients that contain sodium salts that are used to substitute for added salt.

(7) Nutrient or ingredient content claims may only be used for ready-to-eat foodstuffs.

(8) For the purposed of this regulation,

(a) **“added or free sugar”** means any food containing monosaccharides and disaccharides, added to foods and beverages during processing and production; and

(b) **"Intrinsic sugar"** means sugars which form an inherent part of certain unprocessed single ingredient agricultural foodstuffs which are naturally occurring and are always accompanied by other nutrients.

(9) In addition to the requirements of regulation 59 the following conditions for content claims are applicable:

TABLE 2: PART A - CONDITIONS FOR CONTENT CLAIMS

NUTRIENT AND ENERGY ***Part A***	**CLAIM**	**CONDITIONS** ***NOT MORE THAN***
I	2	3
Energy	Low	170kJ per 100g (solids*)80kJ per 100ml (liquids*)
	Virtually free or free from	8 kJ per 100ml (liquids*)
Fat	Low	3 g per 100g (solids*) 1.5g per 100 ml (liquids*)
	Virtually free or free from	0.5g per 100g/ml
Saturated fatty acids for the purpose of nutritional information table and front-of-pack labeling means— (a) when a claim with a health or nutrition message is made, the sum of the weight of individual saturated fatty acids obtained through chemical analysis (AOAC 996.06 or equivalent method); or (b) when no claim with a health or nutrition message is	Low	1,5g per 100g (solids*) 0,75g per 100ml (liquids*) and for both solids and liquids, not more than 10% of energy
	Virtually free or free from	0,1g per 100g (solids*) 0,1g per 100ml (liquids*)

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NUTRIENT AND ENERGY ***Part A***	**CLAIM**	**CONDITIONS** ***NOT MORE THAN***
I	2	3
made, the sum of the weight of individual saturated fatty acids. (This definition refers to 'total saturated fatty acids' as reported in food composition tables and is applicable where the nutrient values for single ingredient foods are used from the food composition table in the South African Food Data System (SAFOODS) or suitable international food composition tables) for direct labelling or for recipe calculations);		
Cholesterol	Low	20mg per 100g (solids*) 10mg per 100ml (liquids*)
	Virtually free or free from	5mg per 100g (solids*) 5mg per 100ml (liquids*) and for both claims, low and free of, less than: 1.5g saturated fat and trans-fat combined per 100g (solids) or 0,75g saturated fat per 100 ml (liquids) and 10% ** of energy from saturated fat

NUTRIENT AND ENERGY *Part A*	CLAIM	CONDITIONS *NOT MORE THAN*
I	2	3
Sugars (any mono – and disaccharides)	Virtually free or free from This claim shall only be permitted when total sugar content of end product is ≤ 0,5 g per 100 g/ml	0,5g per 100g/ml*
Sodium	Low	120mg Na per 100g* (equals 300mg NaCl)
	Very low	40mg Na per 100g* (equals 100mg NaCl)
	Virtually free or free from	5mg Na per 100g* (equals 13mg NaCl)

TABLE 2: PART B - CONDITIONS FOR CONTENT CLAIMS

NUTRIENT *Part B*	CLAIM	CONDITIONS *NOT LESS THAN**
I	2	3
Energy: claim only permitted for energy obtained from a carbohydrate, or fat or protein source and excludes any central nervous system stimulation effect obtained from caffeine or other stimulants	"Source of"	80kJ per 100ml
	"High in"	950kJ per 100g or 250kJ per 100ml
1. Dietary Fibre as measured by the latest update of the Englyst	"Source of" or "contains" or "with added"	2.4 g per 100g (solids)

NUTRIENT ***Part B***	**CLAIM**	**CONDITIONS** ***NOT LESS THAN****
I	2	3
method as stipulated in the table in Guideline 1)	"High in"	4.8 g per 100g (solids)
	"Very high in" or "excellent source"	9.6 g per 100 g (solids)
2. Dietary Fibre as measured by the latest update of the specific general AOAC method used which are listed in the table in Guideline 1)	"Source of" or "contains" or "with added"	3 g per 100g (solids)
	"High in"	g per 100g (solids)
	"Very high in" or "excellent source"	12 g per 100g (solids)
Protein	"Source of" or "contains" or "with added"	10g per 100g (solids*) 5g per 100ml (liquids*)
	"High in"	10g per 100g (solids*) 5g per 100ml (liquids*) and for both solids and liquids,5g per 418kJ
Polyunsaturated fatty acids for the purpose of nutritional information table and front-of-pack-labeling means— (PUFA's)	"Source of" or "contains" or "with added"	≥ 45% ***PUFA's and Polyunsaturated fatty acids provide more than 20 % of energy of the end product 0g *Trans* fatty acids
(a) when a claim with a health or nutrition message is made, the sum of the weight of only the *cis* form of individual polyunsaturated fatty acids obtained through chemical analysis (AOAC 996.06 or equivalent method); or	"High in"	≥ 60% ***PUFA's and Polyunsaturated fatty acids provides more than 20 % of energy of the end product 0.g *Trans* fatty acids

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NUTRIENT *Part B*	CLAIM	CONDITIONS *NOT LESS THAN**
I	2	3
(b) when no claim with a health or nutrition message is made, the sum of the weight of individual polyunsaturated fatty acids. (This definition refers to 'total polyunsaturated fatty acids' as reported in food composition tables and is applicable where the nutrient values for single ingredient foods are used from the food composition table in the South African Food Data System (SAFOODS) or suitable international food composition tables) for direct labelling or for recipe calculations. In some food composition tables, the value may include the *cis* as well as the *trans* form of polyunsaturated fatty acids;		
Monounsaturated fatty acids (MUFA's) for the purpose of nutritional information table means— (a) when a claim with a health or nutrition message is made, the sum of the weight of only the *cis* form of individual	"Source of" or "contains" or "with added"	≥45% *** MUFA's and Monounsaturated fatty acids provide more than 20 % of energy of the end product 0.g *Trans* fatty acids
	"High in"	≥60%*** MUFA's and

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NUTRIENT ***Part B***	**CLAIM**	**CONDITIONS** ***NOT LESS THAN****
I	2	3
monounsaturated fatty acids obtained through chemical analysis (AOAC 996.06 or equivalent method); or (b) when no claim with a health or nutrition message is made, the sum of the weight of individual monounsaturated fatty acids. (This definition refers to 'total monounsaturated fatty acids' as reported in food composition tables and is applicable where the nutrient values for single ingredient foods are used from the food composition table in the South African Food Data System (SAFOODS) (or suitable international food composition tables) for direct labelling or for recipe calculations. In some food composition tables, the value may include the cis as well as the *trans* form of monounsaturated fatty acids);		Monounsaturated fatty acids provide more than 20 % of energy of the end product 0.g *Trans* fatty acids
Omega-3 “omega-3 fatty acids” means one or more of the following:	“Source of” or “contains” or “with added”	0.3g (300 mg) alpha-linolenic acid per 100g and per 418 kJ, or 40mg of the

NUTRIENT ***Part B***	**CLAIM**	**CONDITIONS** ***NOT LESS THAN****
I	2	3
(a) Alpha-linolenic acid (ALA); (b) omega-3 derivative docosahexaenoic acid (DHA 22: 6□3); (c) omega-3 derivative eicosapentaenoic acid (EPA 20:5□3); and (d) omega-3 derivative ocosapentaenoic acid (DPA □3, 22:5□3) fatty acids		sum of Eicosapentanoic acid (EPA) and Docosahexaenoic acid (DHA) per 100g and per 418 kJ
	"High in"	0,6g (600 mg) alpha-linolenic acid per 100g and per 100kJ, or 80mg of the sum of Eicosapentanoic acid (EPA) and Docosahexaenoic acid (DHA) per 100g and per 100kJ
	"Very high in" or "excellent source"	1,2g (1200 mg) alpha-linolenic acid per 100g and per 100kJ, or 160mg of the sum of Eicosapentanoic acid (EPA) and Docosahexaenoic acid (DHA) per 100g and per 100kJ
Vitamins and minerals, excluding Sodium	"Source of" or "contains" or "with added"	15% of NRV** per serving
	"High in"	30% of NRV** per serving
	"Very high in" or "excellent source"	60% of NRV** per serving
Carotenoids:		

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NUTRIENT *Part B*	CLAIM	CONDITIONS *NOT LESS THAN**
I	2	3
Beta-carotene	"Source of" or "contains" or "with added"	0.5 mg per 100g
	"High in"	2 mg per 100g
Lycopene	"Source of" or "contains" or "with added"	0.5 mg per 100g
	"High in"	2 mg per 100g
Lutein	"Source of" or "contains" or "with added"	0.5mg per 100g
	"High in"	2 mg per 100g
Zeaxanthin	"Source of" or "contains" or "with added"	0.1mgper 100g
	"High in"	0.5mgper 100g

* refers to end product

** NRV's for individuals from the beginning of 37 months and older

*** of total energy from fat

TABLE 2: PART C - CONDITIONS FOR CONTENT CLAIMS

COMPONENT *Part C*	CLAIM	CONDITIONS *NOT MORE THAN*
Alcohol	Non-alcoholic or de-alcholised*	0.5 % by volume*
	Virtually free or free from	0.05 % by volume*

Caffeine	Free from or in the case of pure coffee	3 mg per kg

* Subject to regulation 9(4) dealcoholized beer and liquor products including wine as defined under the Liquor Products Act, where the alcohol has been removed from.

Comparative claims

66. (1) A claim which compares the fat, saturated fat, cholesterol, total sugar, total sodium or salt content, or energy value of two or more similar foodstuffs manufactured by the same company by using one of the following words or a similar word "reduced", "less than", "fewer", "light", "lite", is permitted if—

(a) the foodstuffs being compared are different versions of the same or similar foodstuffs which should be described in such a manner that they can be readily identified by consumers;

(b) the foodstuffs being compared are clearly labelled as follows:

(i) A statement is given of the amount of difference in the energy value or relevant nutrient or alcohol, expressed as a percentage; and

(ii) the identity of the foodstuffs to which the foodstuff is being compared, appears in close proximity to the comparative claim;

(c) the comparison is based on a relative difference of—

(i) at least 25% in the macronutrient, including sodium or salt content;

(ii) a minimum absolute difference of not less than 15% of the NRV for micronutrients in the absence of a NRV value a minimum absolute difference of not less than an equivalent value to the figure defined as "low" for energy in Table 2;

(d) the comparison is based on an equivalent mass, volume or single portion/serving (refer to Guideline 11 for examples of how the percentage of difference can be calculated);

(e) the foodstuff is labelled with the mandatory minimum nutritional information declaration referred to in point 1 of Annexure 2, as well as nutritional information

relevant to the comparative claim in terms of the specific nutrient or energy content of both foodstuffs;

(f) the following information is stated in the claim:

(i) the specific nutrient mentioned in subregulation (1) or energy, whichever relates to the comparison;

(ii) a full description of the two foodstuffs that are being compared; and

(iii) the exact amounts of each of the two foodstuffs that are being compared.

(2) A comparative claim such as “more than”, “increased” or that directly or indirectly compares the micronutrient content of a foodstuff with that of another foodstuff is prohibited for physiologically beneficial nutrients such as vitamins, minerals, bioflavonoids, carotenoids, or other beneficial foodstuffs constituents, except for the cases mentioned in subregulation (6) unless—

(a) the comparison is based on an absolute difference of at least an equivalent to the figure defined as “high in” in Table 2; and

(b) is labelled similarly to the principles in subregulation (1).

(3) A comparative claim is not allowed for foodstuffs for which compositional standards exist under the Agricultural Product Standards Act and the Compulsory Specifications Act unless specific provision is made in these standards to accommodate comparative claims.

(4) Foodstuffs for which a class or category name exists under the Agricultural Product Standards Act, and the Compulsory Specifications Act, in which words that could indicate a comparative or nutrient content claim, and which are listed in Guideline 12 may not be regarded as a comparative or a nutrient content claim.

(5) Notwithstanding the requirements of subregulation (1)(c), a foodstuff that is required by the Regulations Relating to the Reduction of Sodium in Certain Foodstuff, published under the Act, to reduce the sodium content of certain foodstuffs according to the targets specific to the specific target dates may use the following

statement, if compliant with the aforementioned Regulations' targets and dates of implementation: "Reduced Sodium or salt according to national goals in the public's interest to lower blood pressure".

(6) Subject to the Regulations Relating to the Labelling of Foodstuffs Obtained through certain techniques of genetic modification (Government Notice No. R. 25 of 16 January 2004), made under the Act and regulation 59(8)(b) and notwithstanding the requirements of subregulation (1)(c), in the case of single ingredient agricultural food crops or produce, where improved nutritional quantity that was obtained through intervention in agricultural practice, excluding the addition of nutrients through enrichment or fortification as defined, the percentage increase of the particular nutrient in the nutritionally single ingredient agricultural food crop or produce, compared to the conventional crop or produce, must be clearly indicated on the label in a mandatory statement that must accompany the comparative claim to the effect that "The (percentage) higher level of (name of specific nutrient)" is the result of (statement explaining the source of the higher nutrient content).

Glycaemic Index (GI) Category and Glycaemic Load (GL) nutritional information claims

67. (1) The GI category nutritional information claim must, if or when used, be indicated as either category "Low", "Intermediate" or "High", whatever is applicable, as determined in accordance with the international standard method for GI testing, ISO 26642 and must not include any method whereby a GI value is calculated to determine its category.

(2) The declaration of the GI category is valid only when the results of two independent laboratories correspond in likewise manner.

(3) The GI category and GL nutritional information claim-

(a) is only applicable for a foodstuff with—

(i) a glycaemic carbohydrate content of 40% or more of the total energy value of the foodstuff;

(ii) a fat content less than or equal to 30% of the total energy value of the foodstuff; and

(iii) a total protein content less than or equal to 42% of the total energy value of the foodstuff;

(b) is not valid for foodstuffs containing less than 10g glycaemic carbohydrates per single portion or serving.

(4) A GI category nutritional information claim must not be indicated by a specific numerical value but must, if used, be indicated, or ranked as low, intermediate, or high GI on the last line of the table with nutritional information: Provided the GI category corresponds with the conditions described in Table 3 below:

TABLE 3: CONDITIONS FOR GI CATEGORY

GI CATEGORY	**CONDITION** **(Values indicated to indicate GI categories; not for labelling purposes)**
Low GI	GI Value: 0 to 55
Intermediate GI	GI value: 56 to 69
High GI	GI value: ≥70

(5) The GI, if or when used, must always be indicated together with the GL and never shall either be indicated in isolation.

(6) The GL is calculated according to the formula as defined in regulation (1).

(7) (a) The GL information must be expressed per single portion or serving, in numerical form, directly underneath the GI category on the bottom 2 lines of the nutritional information or facts table in Annexure 2; and

(b) the following statement must appear below the Nutritional Information table, boxed and in bold font:

The GI and GL values are applicable only to the product concerned. The GI and/or GL may change depending on what accompanies the product in the meal or snack that it forms part of.

(8) Subject to subregulation (7), when the formulation of a foodstuff carrying a GI category is changed, the reformulated foodstuff shall be retested to ensure that the category displayed on the label is correct.

***PART V*:**

HEALTH CLAIMS

Function claims

68. (1) For the purposes of this regulation a function claim describes the physiological role and function of a nutrient or substance in growth, development and normal physiological functioning of the body and may be made for the nutrients or components listed in Table 4 below, by using the approved, appropriate wording in column 2 of Table 4: Provided that—

(a) no deviation from the approved wording listed in column 2 of Table 4 for a claim is permitted; and

(b) where applicable, not all the claims listed per nutrient or substance need necessarily be used at all times, but additional information that needs to appear on a label where specifically indicated for a specific claim, must appear with the claim in the same place on the label.

(2) A function claim is not permitted—

(a) for vitamins and minerals for which a NRV value is not provided in Annexure 3;

(b) for any other substance not listed in Part B of Table 2, unless specifically provided for in Table 4.

(3) In both cases of subregulation (2)(a) and (b), the foodstuffs must contain, per single portion or serving—

(i) at least 30% of the NRV as indicated in Annexure 3; or

(ii) in the case of carotenoids, at least the amount specified in column 3 of Part B of Table 2; or

(iii) the amount indicated in column 3 of Table 4, whatever the case may be.

TABLE 4: APPROVED FUNCTION CLAIMS

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Beta-carotene	• Beta-carotene can be converted to Vitamin A in the body. • Beta-carotene functions as a tissue antioxidant and so keeps cells healthy.	
Betaine monohydrate (carboxymethyl-trimethylazanium hydroxide)	Betaine contributes to normal homocysteine metabolism	The claim maybe used only for foodstuffs which contains at least 500 mg of betaine per single portion/serving. In order to bear the claim, information shall be given to the consumer- 1. that the beneficial effect is obtained with a daily intake of 1.5g of betaine; 2. that the daily intake in excess of 4g may significantly increase blood cholesterol levels; and

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
		3. name additionally at least three of the following foodstuffs that naturally contains betaine: shellfish, spinach, wheat germ and bran, sugar beets.
Biotin	• Biotin is necessary to normal fat metabolism and energy production / helps the body with the transformation of fats and carbohydrates into energy / contributes to normal energy-yielding metabolism / Involved in fatty acid formation, energy transformation from fats, carbohydrates & proteins / contributes to normal macronutrient metabolism • Biotin contributes to healthy normal growth, development, and body maintenance.	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Biotin contributes to normal functioning of the nervous system • Biotin contributes to normal psychological function • Biotin contributes to the maintenance of normal hair • Biotin contributes to the maintenance of normal mucous membranes • Biotin contributes to the maintenance of normal skin • Biotin aids in utilisation of other B-complex vitamins.	
Boron	Boron is a factor in the maintenance of good health	
Calcium	• Calcium is necessary to maintain healthy bones and teeth • Calcium is necessary for normal nerve and muscle function / is	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	needed for muscular growth and contraction and prevents muscle cramps. • Calcium is necessary for normal blood coagulation (clotting) / is essential in blood clotting • Calcium contributes to normal energy-yielding metabolism • Calcium contributes to normal neurotransmission • Calcium contributes to normal function of digestive enzymes • Calcium has a role in the process of cell division and specialisation • Calcium is important for healthy regular heartbeat	
Choline	• Choline contributes to normal homocysteine metabolism • Choline contributes to normal lipid metabolism	The claim may only be used for foodstuffs which contains at least 83mg of choline per

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Choline contributes to the maintenance of normal liver function • Choline is needed for proper transmission of nerve impulses from brain through central nervous system. • Choline aids in hormone production. • Choline aids in fat and cholesterol metabolism. • Choline is needed for brain function and memory.	single portion/serving of foodstuffs
Chromium	• Chromium contributes to normal macronutrient metabolism • Chromium contributes to the maintenance of normal blood glucose levels • Helps the body to metabolize carbohydrates, and fats	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Co-enzyme Q10	• Co-enzyme Q10 aids in the production of ATP, an immediate source of cellular energy. • Co-enzyme Q10 plays a role in maintaining a healthy heart	Only Co-enzyme Q10 naturally present in the foodstuffs
Copper	• Copper contributes to normal iron transport and metabolism / contributes to normal iron transport in the body / aids in formation of haemoglobin and red blood cells • Copper contributes to cell protection from free radical damage / contributes to the protection of cells from oxidative stress • Copper is necessary for normal energy production or contributes to normal energy- yielding metabolism	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Copper is necessary for normal neurological function / contributes to normal functioning of the nervous system / is needed for healthy nerves and joints • Copper is necessary for normal skin and hair colouration / contributes to normal hair and skin pigmentation/colouring • Copper contributes to maintenance of normal connective tissues / works in balance with zinc and vitamin C to form elastin for a healthy skin / contributes to normal connective tissue structure • Copper contributes to the normal function of the immune system • Copper aids in formation of bone	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Copper is involved in taste sensitivity	
Dietary fibre that has effects on glucose and lipid absorption	Soluble dietary fibre plays a role in glucose absorption and maintaining a healthy blood cholesterol level.	
Dietary fibre that has more pronounced effects on bowel habits	Insoluble dietary fibre plays a role in keeping the gut healthy / contributes to regular laxation	
Fatty acids:		
Alpha-linolenic acid (ALA)	ALA contributes to the maintenance of normal cholesterol levels	The claim may be used only for a foodstuff which contains at least 300mg alpha-linolenic acid per 100g and per 418 kJ simultaneously. Information shall be given to consumers that the beneficial effect is obtained with a daily intake of 2 g ALA

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Linoleic acid (LA)	Linoleic acid contributes to the maintenance of normal blood cholesterol levels	The claim may be used only for a foodstuff which provides at least 1.5g of linoleic acid (LA) per 100g and per 418kJ simultaneously. Information shall be given to consumers that the beneficial effect is obtained with a daily intake of 10g LA
Unsaturated or polyunsaturated fatty acids	Replacing saturated fats with unsaturated fats in the diet contributes to the maintenance of normal blood cholesterol levels. Both Monounsaturated fatty acids (MUFAs) and Polyunsaturated fatty acids (PUFAs) are unsaturated fatty acids	Foodstuffs shall be high in MUFAs or high in PUFAs, whatever is appropriate according to the criteria listed in Part B of Table 2
Oleic acid	Replacing saturated fats with unsaturated fats in the diet contributes to the maintenance of normal blood cholesterol levels.	• At least 70% of the fatty acids present in the product must be derived from unsaturated fat; and

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	Oleic acid is an unsaturated fatty acid	• Unsaturated fat provides more than 20% of energy of the product.
Foodstuffs with a low content of saturated fatty acids	Reducing consumption of saturated fat contributes to the maintenance of normal cholesterol levels	The claim may only be used for a foodstuff low in saturated fat according to the criteria listed in Part A of Table 2
Folate (but not folic acid)	• Folate contributes to maternal tissue growth during pregnancy • Folate contributes to normal amino acid synthesis • Folate contributes to/is necessary for normal blood formation • Folate contributes to normal homocysteine metabolism • Folate contributes to normal psychological function • Folate contributes to the normal function of the immune system	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Folate contributes to the reduction of tiredness and fatigue • Folate has a role in the process of cell division / Necessary for normal cell division • Helps to form body proteins, genetic material, and red blood cells. • Folate is essential for the normal development of the unborn baby. • Needed for energy production; involved in protein metabolism.	
Iodine	• Iodine is necessary for normal production of thyroid hormones / Iodine is needed for a healthy thyroid gland • Iodine is necessary for normal neurological development	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Iodine is necessary for normal energy metabolism • Iodine contributes to normal growth and development in children • Iodine contributes to normal cognitive function • Iodine contributes to normal energy-yielding metabolism • Iodine contributes to normal functioning of the nervous system • Iodine contributes to the maintenance of normal skin • Iodine contributes to the normal production of thyroid hormones and normal thyroid function • Prevents goitre which, untreated, will lead to mental retardation	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Iron	• Iron is necessary for normal oxygen transport • Iron contributes to normal energy production / energy-yielding metabolism • Iron is necessary for normal immune system function • Iron contributes to normal blood formation / contributes to normal formation of red blood cells and haemoglobin / helps maintain healthy red blood cells, which play a role in oxygen transportation • Iron is necessary for normal neurological development in the foetus • Iron contributes to normal cognitive function • Iron contributes to normal oxygen transport in the body	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Iron contributes to the reduction of tiredness and fatigue	
Lactulose	Lactulose contributes to an acceleration of intestinal transit / Lactulose is a laxative indicated in the case of chronic constipation	The claim may be used only for foodstuffs which contains 10g of lactulose in a single portion/serving. In order to bear the claim, information shall be given to consumers that the beneficial effect is obtained with a single portion/serving of 10g lactulose per day.
Lycopene	Lycopene is a carotenoid which acts as a tissue antioxidant and so keeps cells healthy	
Lutein	Lutein is a carotenoid, which acts as a tissue antioxidant, specifically important for eye health.	
Magnesium	• Magnesium contributes to normal energy metabolism / energy-yielding metabolism	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Magnesium is necessary for normal nerve and muscle function / functioning of the nervous and muscle systems / Helps maintain a healthy muscle and nervous system / Plays a role in transmission of nerve and muscle impulses, therefore preventing irritability nervousness • Magnesium is necessary for normal electrolyte balance • Magnesium contributes to a reduction of tiredness and fatigue • Magnesium contributes to electrolyte balance / aids in maintaining proper pH balance • Magnesium contributes to normal protein synthesis	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Magnesium contributes to normal psychological function • Magnesium contributes to the maintenance of normal teeth • Magnesium contributes to the maintenance of normal bones / is necessary for teeth and bone structure / assists in calcium and potassium uptake and plays role in formation of bone • Magnesium has a role in the process of cell division • Magnesium helps to utilise carbohydrates, proteins, fats & minerals; aids as vital catalyst in enzyme activity, especially those enzymes involved in energy production	
Manganese	• Manganese is necessary for normal bone formation, the formation of cartilage and	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	lubrication of joints / contributes to the maintenance of bone health • Manganese contributes to cell protection from free radical damage / contributes to the protection of cells from oxidative stress • Manganese contributes to normal energy-yielding metabolism / is needed for protein and fat metabolism and used for energy production/energy metabolism • Manganese contributes to the normal formation of connective tissue	
Molybdenum	• Molybdenum contributes to normal sulphur amino acid metabolism • Molybdenum promotes normal cell function	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Molybdenum aids in activation of certain enzymes	
Niacin	• Niacin is necessary for normal neurological function / contributes to normal functioning of the nervous system • Niacin is necessary for normal energy release from foodstuffs / contributes to normal energy-yielding metabolism • Niacin is necessary for normal structure and function of skin and mucous membranes / contributes to the maintenance of skin and mucous membranes • Niacin contributes to normal psychological function • Niacin contributes to the reduction of tiredness and fatigue	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Olive oil polyphenols	Olive oil polyphenols contribute to the protection of blood lipids from oxidative stress	The claim may be used only for Extra virgin or Virgin olive oil which contains at least 5mg of hydroxytyrosol and its derivatives (e.g., oleuropein complex and tyrosol) per 20g (=22ml) of olive oil. In order to bear the claim, information shall be given to the consumer that the beneficial effect is obtained with a daily intake of 20g (=22ml) of Extra virgin or Virgin olive oil
Pantothenic acid	• Necessary for normal fat metabolism • Pantothenic acid contributes to normal energy-yielding metabolism • Pantothenic acid contributes to normal synthesis and metabolism of steroid	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	**SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM**	**ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING**
1	**2**	**3**
	hormones, vitamin D and some neurotransmitters • Pantothenic acid contributes to the reduction of tiredness and fatigue • Pantothenic acid contributes to normal mental performance	
Phosphorus	• Phosphorus is necessary for teeth and bone structure / contributes to the maintenance of normal bones • Phosphorus is necessary for normal cell membrane structure / contributes to normal function of the cell membranes • Phosphorus is necessary for normal energy metabolism / energy-yielding metabolism • Phosphorus contributes to the maintenance of normal teeth	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Potassium	• Potassium is necessary for normal water and electrolyte balance / works with sodium to control body's water balance • Potassium contributes to normal functioning of the nervous system / aids in transmitting electrochemical impulses. • Potassium contributes to normal muscle function / proper muscle contraction • Potassium contributes to normal blood pressure / Important for regular heart rhythm and maintenance of stable blood pressure.	The foodstuff naturally contains no less than 200mg of potassium per serving
Prebiotic	• Prebiotics such as [name of specific prebiotic] beneficially affects the intestinal flora by selectively stimulating the growth of the good/ beneficial gut flora/micro-organisms /	• The foodstuffs shall have at least 2g pure prebiotic per single portion/serving;

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	positively affects intestinal health; and • An average of 6g prebiotics is needed daily for general digestive health	• The prebiotic must be one or combination of the following prebiotics: • trans-galacto-oligosaccharide; • inulin; • oligofructose; • fructo-oligosaccharides (FOS); or • galacto-oligosaccharides (GOS).
Protein	• Protein helps build and repair body tissues / is necessary for tissue building and repair • Protein contributes to the maintenance of muscle mass	No claim/reference related to body building will be permitted
Selenium	• Selenium is necessary for normal immune system function	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Selenium is necessary for the normal utilization of iodine in the production of thyroid hormones • Selenium is necessary for cell protection from some types of free radical damage / contributes to the protection of cells from oxidative stress • Selenium contributes to normal spermatogenesis • Selenium contributes to normal hair • Selenium contributes to the maintenance of normal nails • Selenium contributes to the normal function of the immune system • Selenium contributes to the normal thyroid function	
Vanadium	A factor in the maintenance of good health	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Vitamin A	• Vitamin A is necessary for normal vision / for the maintenance of good vision • Vitamin A is necessary for normal skin and mucous membrane structure and function • Vitamin A is necessary for normal cell differentiation / cell specialisation • Vitamin A contributes to normal growth • Vitamin A contributes to normal iron metabolism • Vitamin A contributes to the maintenance of normal mucous membranes • Vitamin A contributes to the maintenance of normal skin • Vitamin A contributes to the maintenance of normal vision	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Vitamin A contributes to the normal function of the immune system	
Vitamin B_1 (Thiamine)	• Thiamine is necessary for normal carbohydrate metabolism • Thiamine is necessary for normal neurological and cardiac function • Thiamine contributes to normal energy-yielding metabolism / helps the body change the foodstuffs you eat into energy. • Thiamine contributes to the normal functioning of the nervous system / maintains growth and healthy nerve function. • Thiamine contributes to normal psychological function	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Thiamine contributes to the normal function of the heart	
Vitamin B_2 (Riboflavin)	• Riboflavin contributes to normal iron transport and metabolism / contributes to the maintenance of normal red blood cells • Riboflavin Contributes to normal energy release from foodstuffs / helps the body change the foodstuffs you eat into energy. • Riboflavin contributes to normal skin and mucous membrane structure and function • Riboflavin contributes to normal functioning of the nervous system • Riboflavin contributes to the maintenance of normal mucous membranes • Riboflavin contributes to the maintenance of normal skin	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Riboflavin contributes to the maintenance of normal vision • Riboflavin contributes to the normal metabolism of iron • Riboflavin contributes to the protection of cells from oxidative stress • Riboflavin contributes to the reduction of tiredness and fatigue	
Vitamin B_6 (Pyridoxine)	• Vitamin B_6 is necessary for normal protein metabolism • Vitamin B_6 is necessary for normal iron transport and metabolism • Vitamin B_6 contributes to normal cysteine synthesis • Vitamin B_6 contributes to normal energy-yielding metabolism / helps the body change the foodstuffs you eat into energy.	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Vitamin B_6 contributes to normal functioning of the nervous system • Vitamin B_6 contributes to normal homocysteine metabolism • Vitamin B_6 contributes to normal protein and glycogen metabolism • Vitamin B_6 contributes to normal psychological function • Vitamin B_6 contributes to normal red blood cell formation • Vitamin B_6 contributes to the normal function of the immune function • Vitamin B_6 contributes to the reduction of tiredness and fatigue • Vitamin B_6 contributes to the regulation of hormonal activity	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Vitamin B_{12}	• Vitamin B_{12} is necessary for normal cell division / plays a role in the process of cell division • Vitamin B_{12} contributes to normal blood formation / contributes to normal red blood cell formation • Vitamin B_{12} contributes to normal energy-yielding metabolism • Vitamin B_{12} contributes to normal functioning of the nervous system / is necessary for normal neurological structure and function • Vitamin B_{12} contributes to normal homocysteine metabolism • Vitamin B_{12} contributes to normal psychological function	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Vitamin B_{12} contributes to the normal function of the immune system • Vitamin B_{12} contributes to the reduction of tiredness and fatigue	
Vitamin C (Ascorbic acid)	• Vitamin C contributes to iron absorption from foodstuffs / helps with the absorption of iron from foodstuffs / increases iron absorption / increases iron absorption • Vitamin C is necessary for normal connective tissue structure and function • Vitamin C is necessary for normal blood vessel structure and function • Vitamin C contributes to cell protection from free radical damage	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Vitamin C is necessary for normal neurological function • Vitamin C contributes to maintain the normal function of the immune system during and after intense physical stress • Vitamin C contributes to normal collagen formation for the normal function of blood vessels • Vitamin C contributes to normal collagen formation for the normal function of bones` • Vitamin C contributes to normal collagen formation for the normal function of cartilage • Vitamin C contributes to normal collagen formation for the normal function of gums • Vitamin C contributes to normal collagen formation for the normal function of skin	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Vitamin C contributes to normal collagen formation for the normal function of teeth • Vitamin C contributes to normal energy-yielding metabolism • Vitamin C contributes to normal functioning of the nervous system • Vitamin C contributes to normal psychological function • Vitamin C contributes to the normal function of the immune system • Vitamin C contributes to the protection of cells from oxidative stress • Vitamin C contributes to the reduction of tiredness and fatigue	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Vitamin C contributes to the regeneration of the reduced form of Vitamin E	
Vitamin D	• Vitamin D is necessary for normal absorption and utilisation of calcium and phosphorus • Vitamin D contributes to normal cell division • Vitamin D is necessary for normal bone structure • Vitamin D contributes to normal absorption/utilisation of calcium and phosphorus / helps the body utilise calcium and phosphorus, which are necessary for the normal development and maintenance of strong bones and teeth	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Vitamin D contributes to the maintenance of normal bones and teeth • Vitamin D contributes to normal calcium levels • Vitamin D contributes to the maintenance of normal muscle function • Vitamin D contributes to the normal function of the immune system • Vitamin D has a role in the process of cell division	
Vitamin E	• Vitamin E contributes to cell protection from free radical damage / contributes to the protection of cells from oxidative stress / functions as a tissue antioxidant thereby keeping cells healthy	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Vitamin E helps maintain a healthy immune system • Vitamin E protects unsaturated fatty acids and vitamin A against oxidation in the body • Vitamin E assists in cardiovascular health	
Vitamin K	• Vitamin K is necessary for normal blood coagulation (clotting) • Vitamin K contributes to normal bone structure and its maintenance	
Water	• Water contributes to the maintenance of normal regulation of the body's temperature • Water contributes to the maintenance of normal physical and cognitive functions	The claim may only be used for water as defined in the Regulations relating to all Packaged Water published under the Act

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Yoghurt cultures: *Lactobacillus delbruekii subsp. bulgarius and Streptococcus thermophillus*	Yoghurt cultures, *Lactobacillus delbruekii subsp. bulgarius and Streptococcus thermophillus* improve lactose digestion in individuals who have difficulty digesting lactose (milk sugar)	• The foodstuffs must contain at least 10^8 cfu per gram • The claim is permitted for dairy yoghurt or fermented milk only
Zeaxanthin	Zeaxanthin is a carotenoid which acts as a tissue antioxidant and so keeps cells healthy	
Zinc	• Zinc is necessary for normal immune system function / contributes to the normal function of the immune system / is essential for growth and maintenance of a healthy immune system. • Necessary for normal cell division • Contributes to normal skin structure and wound healing / promotes healing of wounds	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Zinc contributes to normal acid-base metabolism • Zinc contributes to normal carbohydrate metabolism • Zinc contributes to normal cognitive function • Zinc contributes to normal DNA synthesis • Zinc contributes to normal fertility and reproduction • Zinc contributes to normal macronutrient metabolism • Zinc contributes to normal metabolism of fatty acids • Zinc contributes to normal metabolism of Vitamin A • Zinc contributes to normal protein synthesis • Zinc contributes to the maintenance of normal bones / is vital for bone formation	

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NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Zinc contributes to the maintenance of normal hair, nails and skin • Zinc contributes to the maintenance of normal testosterone levels in the blood • Zinc contributes to the maintenance of normal vision • Zinc contributes to the protection of cells from oxidative stress • Zinc has a role in the process of cell division • Zinc is necessary for normal taste and smell • Zinc is a constituent of insulin and many vital enzymes • Sufficient intake and absorption of zinc is needed to maintain proper vitamin E levels in blood	

NUTRIENT OR SUBSTANCE FOR WHICH A FUNCTION CLAIM IS MADE	SELECT ONE OR MORE OPTION OF THE PERMITTED WORDING FOR A FUNCTION CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OR ADDITIONAL STATEMENTS OR WARNINGS TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	and increases the absorption of vitamin A	

Reduction of disease risk claims

69. (1) The reduction of disease risk claims listed in Table 5, link the consumption of a foodstuff or a foodstuff constituent in the context of the total diet to the reduced risk of developing a disease or a health-related condition, is permitted for foodstuffs, provided that the conditions set out in Table 5, are met.

(2) The foodstuff must comply with the characteristics specified in column 3, and—

(a) the wording of the reduction of disease risk claim in column 4 may not be added to, omitted, reduced, or altered in a way which will result in a change of meaning or which will result in a change of emphasis; and

(b) a disease risk claim may not attribute any degree of a disease risk reduction to specific dietary guidelines.

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TABLE 5: REDUCTION OF DISEASE RISK CLAIMS

CLAIM NO	NUTRIENT/DIET RELATED TO DISEASE RISK	FOODSTUFFS CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
1	2	3	4
1.	**Calcium and osteoporosis**	• At least 290mg calcium naturally present in the foodstuffs per serving • At least 30mg magnesium per 100g foodstuffs • Phosphorus content may not exceed calcium content	Regular exercise and a healthy diet high in calcium and an adequate Vitamin D status may assist to maintain good bone health and may reduce the risk of osteoporosis or osteoporotic fractures later in life
2.	**Enhanced bone mineral density**	• At least 200mg calcium naturally present in the foodstuffs per serving • At least 15mg magnesium per 100g foodstuffs • Phosphorus content may not exceed calcium content	Regular exercise and a healthy diet high in calcium, an adequate status in Vitamin D and other minerals essential for bone health, may assist to maintain and enhance bone mineral density and good bone health
3.	**Sodium and hypertension**	Foodstuffs shall be low in sodium	Diets low in sodium may reduce the risk of high blood pressure, a disease

CLAIM NO	NUTRIENT/DIET RELATED TO DISEASE RISK	FOODSTUFFS CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
1	2	3	4
			associated with heart disease, strokes and other conditions in some individuals
4.	**High intake of fruits and vegetables and a reduced risk of coronary heart disease and cancer**	• Fresh, dried, canned and frozen fruit and vegetables which contains no less than 90% fruit or vegetables by weight • Claim is not permitted on fruit juices, fruit nectars or foodstuffs with less than 90% fruit or vegetables by weight	A high intake of fruits and vegetables contribute to heart health by reducing the risk of coronary heart disease and cancer
5.	**Folic acid and neural tube defects**	The foodstuff contains no less than 40 µgfolic acid per single portion/serving	(a) Women of childbearing age should consume diets rich in foodstuffs folate (fruits, dark green leafy vegetables, legumes; and (b) consume at least 400 µg folic acid daily, through fortified grain products, fortified foodstuffs or daily nutritional supplementation, at least in the month before

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CLAIM NO	NUTRIENT/DIET RELATED TO DISEASE RISK	FOODSTUFFS CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
1	2	3	4
			and three months after conception to reduce the risk of foetal neural tube birth defects
6.	**Plant sterol esters and plant stanol esters and coronary heart disease**	The foodstuff- • shall contain at least 0,8g plant sterols equivalents per portion or serving; • is low in saturated fatty acids; and • is *trans*-fat free • must bear a statement on the main panel in upper-case letters at least 3mm in vertical height to indicate that the particular foodstuff is suitable for the intended target group only	Diets low in saturated fatty acids that contain 1.5 to 3g of plant sterol esters and plant stanol esters daily, may reduce the risk of heart disease by lowering cholesterol. **This (name of product) contains only [indicate gram of plant sterol equivalents] per single portion/serving**
7.	**Beta-glucans in oat bran, wholegrain oats and wholegrain**	• The claim may only be used for the following single ingredient foodstuffs:	3g beta glucan fibre from 60g whole oats daily, or 40g oat fibre daily, as part of a diet low in saturated fat and cholesterol, may reduce the

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CLAIM NO	NUTRIENT/DIET RELATED TO DISEASE RISK	FOODSTUFFS CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
1	2	3	4
	barley and blood cholesterol	oat bran, wholegrain oats, wholegrain barley • A single portion/serving of the foodstuff shall contain at least 1g beta-glucan from one or more of the following foodstuffs: oat bran, wholegrain oats and wholegrain barley, whole/grounded linseeds.	risk of coronary heart disease by reducing blood cholesterol levels. and/or Diet must contain at least 3g beta glucan per day and single portion/serving must contain at least 1g beta-glucan from one or more of the flowing foodstuffs: oat bran, wholegrain oats and wholegrain barley
8.	**Walnuts and heart disease**	30g serving of raw walnuts without any added ingredients or additives	Walnuts contribute to reducing the risk of heart disease by improving the elasticity of blood vessels In order to bear the claim, information shall be given to the consumer that the beneficial effect is obtained with a daily intake of 30g of walnuts

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CLAIM NO	NUTRIENT/DIET RELATED TO DISEASE RISK	FOODSTUFFS CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
1	2	3	4
9.	**Potassium, blood pressure and stroke**	Foodstuffs that contain at least 350mg Potassium per single portion/serving and which are low in Sodium	Diets containing foodstuffs that contain at least 350mg Potassium and which are low in Sodium may reduce the risk of high blood pressure and stroke. All fruits and vegetables contain Potassium
10.	**Soy protein and heart disease**	The foodstuff: • shall contain at least 6.25g of soy protein per single portion • be low in saturated fat • be a low cholesterol food; and • shall meet the nutrient content requirement for a "low fat" food, unless it consists of or is derived from whole **soy**beans and contains no fat in addition to the fat inherently present in the whole **soy**beans	Diets low in saturated fat and cholesterol that include 25g of soy protein a day may reduce the risk of heart disease. One serving of [name of food] provides __ grams of soy protein.

CLAIM NO	NUTRIENT/DIET RELATED TO DISEASE RISK	FOODSTUFFS CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
1	2	3	4
		it contains or from which it is derived.	

Health claims related to the "wholegrain" concept

70. The following claims, as set out in Tables 6 to 8, relating to—

(a) "100% wholegrain";

(b) "Recombined wholegrain"; and

(c) "Partially wholegrain", are permitted:

TABLE 6: "100% WHOLEGRAIN" HEALTH CLAIM

FOODSTUFFS CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
The foodstuffs must— • Comply 100% in terms of the definition for "wholegrain" in these Regulations • Contains not less than 97% wholegrains and kibbling is permitted • Be naturally low in sodium • Have generally a natural Low GI value • The use of a wholegrain logo is permitted	Diets rich in wholegrain foods and other plant foods that are low in total fat, saturated fatty acids and cholesterol may reduce the risk of most chronic diseases of lifestyle such as heart disease, diabetes and certain cancers and can assist with weight management and gastrointestinal health

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- **"kibbling" in relation to wholegrains, means the cracking or breaking of intact wholegrains into smaller particles, which are then soaked in water, moistened, steamed, and dried.**

TABLE 7: "RECOMBINED WHOLEGRAIN" HEALTH CLAIM

FOODSTUFFS CHARACTERISTICS OR CRITERIA	**PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT**
The foodstuffs must— • Comply 100% in terms of the definition for "wholegrain" in these Regulations • Contain at least 75 % wholegrain or recombined wholegrain flour/meal of the total flour weight. • Indicate the quantitative ingredient declaration (QUID) of the whole grainor recombined wholegrain flour/meal present as part of the name or description of the foodstuffs as well as part of the claim • Formulated to have a low GI value which shall be indicated as part of the claim. • The use of a wholegrain logo is not permitted	The foodstuffs may bear the following claim: "Made with flour that contains at least 75% recombined wholegrain flour from listed grains. Diets rich in wholegrains and other plant foods that are low in total fat, saturated fat and cholesterol may reduce the risk of most chronic diseases of lifestyle

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TABLE 8:"PARTIALLY WHOLEGRAIN" HEALTH CLAIM

FOODSTUFFS CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
The foodstuffs must— • Comply 100% in terms of the definition for "wholegrain" in these Regulations • Contain at least 50% wholegrain or recombined wholegrain flour of the total flour weight and at least 25% wholegrains or oilseeds or legumes or dried fruit of the total flour weight • Indicate the QUID of the wholegrain/recombined flour plus wholegrains present as part of the name or description of the foodstuff as well as part of the claim] • Formulated to have a low GI value and be indicated as part of the claim • The use of a wholegrain logo is not permitted	Made with flour that contains at least 50% wholegrain **or recombined wholegrain flour** from listed grains and at least 25% of one or multiple wholegrains/oilseeds/legumes/dried fruit. Diets rich in wholegrains and other plant foods that are low in total fat, saturated fat and cholesterol may reduce the risk of most chronic diseases of lifestyle such as heart disease, diabetes, and certain cancers, and can assist with weight management and gastrointestinal health

Health claims for oral health

71. The following dental health claims, set out in Table 9, are permitted if the conditions in the Table are complied with:

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TABLE 9: APPROVED HEALTH CLAIMS FOR ORAL HEALTH

SUBSTANCE	PERMITTED WORDING FOR A CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OF USE OF THE CLAIM OR THE FOODSTUFF OR ADDITIONAL STATEMENT OR WARNING ON LABELS AND IN COMMERCIAL MARKETING	FOODSTUFF CATEGORY
The polyol Xylitol	Frequent eating of foodstuffs high in sugars and starches that are retained on the teeth between meals can promote tooth decay. Xylitol used as a sweetener in (name the product) does not promote tooth decay/dental caries.	• Chewing gum sweetened with Xylitol where Xylitol is the only sweetener in the foodstuff • In order to bear the claim, the following additional information shall appear on the label: The beneficial effect is obtained with a consumption of 2-3g of chewing gum sweetened with 100% xylitol at least 3 times per day after meals	Chewing gum
Polyols	Sugar-free chewing gum contributes to the maintenance of tooth mineralisation	The claim may be used for chewing gum sweetened with polyols and which contains no added sugar or non-nutritive sweeteners. Information must be given to the consumers that	Chewing gum

SUBSTANCE	PERMITTED WORDING FOR A CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OF USE OF THE CLAIM OR THE FOODSTUFF OR ADDITIONAL STATEMENT OR WARNING ON LABELS AND IN COMMERCIAL MARKETING	FOODSTUFF CATEGORY
		the beneficial effect is obtained with chewing, for at least 20 minutes after eating or drinking.	
Polyols	Sugar-free chewing gum contributes to the neutralisation of plaque acids	The claim may be used for chewing gum sweetened with polyols and which contains no added sugar or non-nutritive sweeteners. Information must be given to the consumers that the beneficial effect is obtained with chewing, for at least 20 minutes after eating or drinking	Chewing gum
Polyols	Sugar-free chewing gum contributes to the reduction of oral dryness	The claim may be used for chewing gum sweetened with polyols and which contains no added sugar or non-nutritive sweeteners. Information must be given to the consumers that the beneficial effect is obtained with the use of the chewing gum whenever the mouth feels dry.	Chewing gum

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SUBSTANCE	PERMITTED WORDING FOR A CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OF USE OF THE CLAIM OR THE FOODSTUFF OR ADDITIONAL STATEMENT OR WARNING ON LABELS AND IN COMMERCIAL MARKETING	FOODSTUFF CATEGORY
Sugar-free chewing gum with carbamide	Sugar-free chewing gum with carbamide neutralises plaque acids more effectively than sugar-free chewing gums without carbamide	The claim may be used for chewing gum sweetened with polyols and which contain no added sugar or non-nutritive sweeteners. In order to bear the claim, each piece chewing gum shall contain at least 20mg carbamide. Information shall be given to the consumers that the beneficial effect is obtained with chewing, for at least 20 minutes after eating or drinking	Chewing gum
Isomaltulose	Consumption of foods or drinks containing Isomaltulose instead of other sugars contributes to the maintenance of tooth mineralization.	In order to bear the claim, sugars should be replaced in foods or drinks (which reduce plaque pH below 5.7) in amounts such that consumption of such foods or drinks does not lower plaque pH below 5.7 during or up to 30 minutes after consumption.	Chewing gum

SUBSTANCE	PERMITTED WORDING FOR A CLAIM	ADDITIONAL CONDITIONS OR RESTRICTIONS OF USE OF THE CLAIM OR THE FOODSTUFF OR ADDITIONAL STATEMENT OR WARNING ON LABELS AND IN COMMERCIAL MARKETING	FOODSTUFF CATEGORY
Polydextrose	Consumption of foods or drinks containing polydextrose instead of sugar contributes to tooth mineralization.	In order to bear the claim, sugars should be replaced in foods or drinks (which reduce plaque pH below 5.7) in amounts such that consumption of such foods or drinks does not lower plaque pH below 5.7 during and up to 30 minutes after consumption.	Chewing gum

Claims for energy-restricted foodstuffs for weight reduction or slimming or weight loss

72. (1) For the purposes of this regulation, "formulated meal replacement" means a foodstuff, in powder or liquid form, specifically designed to replace one or more daily meals for the purpose of weight loss.

(2) Subject to regulation 47(5) a claim that a formulated meal replacement, is an aid to weight reduction, weight loss, diet or slimming, or words to a similar effect, may not be made unless the following requirements are complied with:

(a) The foodstuff must be labelled with the words **"ONLY EFFECTIVE AS PART OF AN ENERGY AND SERVING OR PORTION CONTROLLED PRUDENT DIET**

AND AN INCREASE IN MODERATE PHYSICAL ACTIVITY" in bold, upper-case letters not less than 3,0mm in font height on the main panel.

(b) The foodstuff must be an energy-restricted formulated meal replacement product.

(c) The foodstuff must comply with the minimum nutritional requirements contained in Table 10.

(d) Words, pictures, or graphics which imply that the foodstuff has weight loss properties, may result in weight loss or slimming, directly or indirectly, are not permitted, unless fully compliant with this regulation.

(e) Reference may not be made to the rate (e.g., "lose 3kg in one week") or amount (e.g., "lose 3kg") of weight loss, or any suggestion that it would be detrimental to health not to consume a certain type of foodstuff, or a claim which suggest that health could be adversely affected by not consuming the foodstuff.

(f) A claim related to weight control or weight maintenance due to a foodstuff in itself or containing a weight management substance or ingredient that is linked to, or is implicated to have an effect on reducing energy intake or on energy uptake, and increases energy expenditure, result in actions such as thermogenesis, increased satiety, appetitive suppression, absorption blocking effect, or similar actions is not permitted, unless a dossier which provides conclusive scientific substantiation, in the format according to the requirements of Guidelines 14 and 15 is submitted to the Directorate: Food Control prior to market appearance for evaluation and approval: Provided that no scheduled substance under the Medicines Act, is permitted in such foodstuff.

TABLE 10: FORMULATED MEAL REPLACEMENT FOR ENERGY-RESTRICTED DIETS FOR WEIGHT REDUCTION CONTROL

Nutrient substance, food or food category	**Claim**	**Conditions of use of the claim**	**Conditions, or restrictions of use of the food, or additional statement or warning on labels and advertisements**
Meal replacement for weight control	Substituting 1 (one) of the main daily meals of an energy restricted diet with a meal replacement contributes to the maintenance of weight after weight loss	In order to bear the claim, a foodstuff should comply with the following requirements: 1. **Energy content** The energy content shall not be less than 840kJ and shall not exceed 1 046kJ per meal. **2. Fat content and composition** The energy derived from fat shall not exceed 30% of total available energy content of the product. The linoleic acid (in the form of glycerides) shall not be less than 1g. 3. **Protein content and composition** Subject to the requirements of Regulation 54(11) and Annexure 5, the protein contained in the food shall provide not less than 25 % and not more than 50 % of the	In order to bear the claim, information shall be provided to the consumer on the importance of maintaining an adequate daily fluid intake and on the fact that the products are useful for the intended use only as part of an energy-restricted diet and that other foodstuffs should be a necessary part of such diet. In order to achieve the claimed effect, one main meal should be substituted with one meal replacement daily.

Nutrient substance, food or food category	Claim	Conditions of use of the claim	Conditions, or restrictions of use of the food, or additional statement or warning on labels and advertisements
		total energy content of the product. **4. Vitamins and minerals** The food shall provide at least 30 % of the amounts of the nutrient reference values of vitamins and minerals as per Annexure II. The amount of sodium per meal provided by the food shall be at least 172,5 mg. The amount of potassium per meal provided by the food shall be at least 500 mg.	
Meal replacement for weight control	Substituting 2 (two) of the main daily meals of an energy restricted diet with meal replacements contributes to weight loss In	1. **Energy content** The energy content shall not be less than 840 kJ and shall not exceed 1 046 KJ per meal. 2. **Fat content and composition** The energy derived from fat shall not exceed 30 % of total available energy content of the product. The linoleic acid (in	In order to bear the claim, information shall be provided to the consumer on the importance of maintaining an adequate daily fluid intake and on the fact that the products are useful for the

Nutrient substance, food or food category	Claim	Conditions of use of the claim	Conditions, or restrictions of use of the food, or additional statement or warning on labels and advertisements
	order to bear the claim, a food should comply with the following requirements:	the form of glycerides) shall not be less than 1 g. 3. **Protein content and composition** Subject to the requirements of Regulation 59 and Annexure 5, the protein contained in the food shall provide not less than 25% and not more than 50% of the total energy content of the product. **4. Vitamins and minerals** The food shall provide at least 30% of the amounts of the nutrient reference values of vitamins and minerals per meal as laid down Annexure II. The amount of sodium per meal provided by the food shall be at least 172,5mg. The amount of potassium per meal provided by the food shall be at least 500mg.	intended use only as part of an energy-restricted diet and that other foodstuffs should be a necessary part of such diet. In order to achieve the claimed effect, two of the main daily meals should be substituted with meal replacements daily.

Detoxification

73. A health claim that implies that a foodstuff is a tonic or may have detoxification or similar effects or benefits must be considered a medicinal claim and is prohibited for foodstuffs.

PART VI:

EXEMPTIONS, REPEAL, COMMENCEMENT AND SHORT TITLE

Exemptions

74. (1) The following ingredients of a foodstuff need not be named in the list of ingredients:

(a) Any substance other than water, when used as a solvent or carrier for a foodstuff additive or nutrient, and which is used in an amount that is consistent with good manufacturing practice: Provided that the solvent or the carrier is not, nor contains traces of, a common allergen specified in these Regulations.

(b) water or other volatile ingredients that evaporated during manufacture.

(2) The following foodstuffs need not be labelled with a list of ingredients:

(a) Vinegars which are derived by means of natural fermentation exclusively from a single basic product and to which no other ingredient has been added; or

(b) a foodstuff which consists of a single ingredient and of which the name clearly identifies the single ingredient.

(3) The following foodstuffs are, unless otherwise stipulated in these regulations or any regulations published under the Agricultural Product Standards Act, and the Compulsory Specifications Act, exempted from the requirements regarding

labelling, but when an energy, health, ingredient content or nutrition claim is made, the exemption falls away and these regulations apply:

(a) eggs except for the date on which the eggs were packed;

(b) fresh, unprocessed vegetables;

(c) fresh, unprocessed fruit;

(d) any drink regulated by the Liquor Products Act. If an indication of common allergens or health statements or warnings are necessary, these statements must be indicated on the label in accordance with the relevant regulations under the Act;

(f) unprocessed meat of animals and birds, referred to in Schedule 1 of the Meat Safety Act, or fish species referred to in the latest version of SANS 1647, that is intended for human consumption in South Africa and that have not been pre-packed, except for an indication of the type of animal and bird, fish, or other marine food species at the point of sale that—

(i) must appear on a notice placed in close vicinity of where the foodstuff is offered for sale; and

(ii) is easily legible and in clear view of the consumer, where such foodstuffs are exhibited for sale in bulk;

(g) unprocessed fish, marine products, meat of animals and birds referred to in Schedule 1 of the Meat Safety Act, or fish species referred to in the latest version of SANS 1647, that is intended for human consumption in South Africa and that is pre-packaged in such a way that the purchaser is able to identify the contents of the package, except for an indication of the type of animal, bird, fish or marine product, the date on which the product was packaged, the price per kilogram, as well as the price per container, printed on the scale label;

(h) any ready-to-consume foodstuffs prepared and sold on the premises of a catering establishment for consumption including wheat products, which are not pre-packed (naked bread), except for information on the list of ingredients, common allergens, and date of manufacturing printed on the scale label or kept on file and made available immediately upon request, whatever the case may be;

(i) non-prepackaged or transparently packaged servings of foodstuffs that are sold as snacks or meals on the premises of preparation, except for information on the list of ingredients, allergens, and date of manufacturing, printed on the scale label;

(j) flour confectionary intended to be consumed within 24 hours of manufacture, except for information on the list of ingredients, common allergens, and date of manufacturing, printed on the scale label;

(k) ice, except for the name and address of the manufacturer; and

(l) water sachets used during sport events.

(4) Street vendor foods are exempted from labelling requirements.

(5) For the purposes of this regulations, “naked bread” means bread, bread rolls and bread buns displayed for sale without being pre-packaged.

Repeal

75. The Labelling and advertising of foodstuffs Regulations (Government Notice No. R. 146 of 1 March 2010), Government Notice No. R1091 of 19 November 2010, Government Notice No. R45 of 19 January 2012, and Regulation 6(2) of R3128 of 20 December 1991 are hereby repealed.

Withdrawal

76. The Regulations Relating to the Labelling and Advertising of Foodstuffs, R 2986 of 31 January 2023, published in Government Notice No. 11535.

Commencement

77. (1) These regulations enter into force 24 months after the date of publication thereof.

(2) Regulation 9(2) and (3) enters into force on the date of publication of these Regulations.

(3) Regulations 49 to 73 enters into force 12 months after the date of publication of these Regulations.

(4) Regulations 8, 51 and 52 enters into force six months after the date of publication of these Regulations.

Short title

78. These Regulations are called Regulations Relating to the Labelling and Advertising of Foodstuffs, 2023.

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ANNEXURE 1

CATEGORIES OF FOOD ADDITIVES THAT MAY BE IDENTIFIED BY THEIR PRINCIPAL FUNCTIONAL CATEGORY NAME AND WHERE APPLICABLE THE SUBCATEGORY NAME IN A LIST OF INGREDIENTS

Principal category: Acidity regulator

A food additive, which controls the acidity or alkalinity of a food.

Sub categories:

- Acid
- acidifier
- acidity regulator
- alkali
- base
- buffer
- buffering agent
- pH adjusting agent

Principal category: Anticaking agent

Reduces the tendency of particles of food to adhere to one another.

Sub categories:

- anti-stick agent
- drying agent
- dusting agent

Principal category: Antifoaming agent

A food additive, which prevents or reduces foaming.

Sub categories:

- defoaming agent

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Principal category: Antioxidant as additive

A food additive, which prolongs the shelf-life of foods by protecting against deterioration caused by oxidation.

Sub categories:

- antibrowning agent
- antioxidant synergist

Principal category: Bleaching agent

A food additive (non-flour use) used to decolourize food. Bleaching agents do not include pigments.

Principal category: Bulking agent

A food additive, which contributes to the bulk of a food without contributing significantly to its available energy value.

Sub category:

- filler

Principal category: Carbonating agent

A food additive used to provide carbonation in a food.

Principal category: Carrier

A food additive used to dissolve, dilute, disperse or otherwise physically modify a food additive or nutrient without altering its function (and without exerting any technological effect itself) in order to facilitate its handling, application or use of the food additive or nutrient.

Sub categories:

- carrier solvent
- diluent for other food additives
- encapsulating agent
- nutrient carrier

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Principal category: Colour/colouring/colourant (except tartrazine)

A food additive, which adds or restores colour in a food.

Sub categories:

- decorative pigment
- surface colourant

Principal category: Colour retention agent

A food additive, which stabilizes, retains or intensifies the colour of a food.

Sub categories:

- colour adjunct
- colour fixative
- colour stabilizer

Principal category: Emulsifier

A food additive, which forms or maintains a uniform emulsion of two or more phases in a food.

Sub categories:

- clouding agent
- crystallization inhibitor
- density adjustment agent (flavouring oils in beverages)
- dispersing agent
- plasticizer
- surface active agent
- suspension agent
- modified starches (Dextrin/maltodextrin roasted starch, acid treated starch, alkaline treated starch and enzyme treated starch)

Principal category: Emulsifying salt

A food additive, which, in the manufacture of processed food, rearranges proteins in order to prevent fat separation.

Sub categories:

- emulsifying salt
- melding salt

Principal category: Firming agent

A food additive, which makes or keeps tissues of fruit or vegetables firm and crisp or interacts with gelling agents to produce or strengthen a gel.

Principal category: Flavour enhancer

A food additive, which enhances the existing taste and/or odour of a food.

Sub categories:

- flavour synergist

Principal category: Flour treatment agent

A food additive, which is added to flour or dough to improve its baking quality or colour.

Sub categories:

- dough conditioner
- dough strengthening agent
- flour bleaching agent
- flour improver

Principal category: Foaming agent

A food additive, which makes it possible to form or maintain a uniform dispersion of a gaseous phase in a liquid or solid food.

Sub categories:

- aerating agent
- whipping agent

Principal category: Gelling agent

A food additive, which gives a food texture through formation of a gel.

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Principal category: Glazing agent

A food additive, which when applied to the external surface of a food, imparts a shiny appearance or provides a protective coating.

Sub categories:

- coating agent
- film forming agent
- polishing agent
- sealing agent
- surface-finishing agent

Principal category: Humectant

A food additive, which prevents food from drying out by counteracting the effect of a dry atmosphere.

Sub categories:

- moisture/water retention agent
- wetting agent

Principal category: Packaging gas

A food additive gas, which is introduced into a container before, during or after filling with food with the intention to protect the food, for example, from oxidation or spoilage.

Principal category: Propellant

A food additive gas, which expels a food from a container.

Principal category: Raising agent

A food additive or a combination of food additives, which liberate(s) gas and thereby increase(s) the volume of a dough or batter.

Principal category: Sequestrant

A food additive, which controls the availability of a cation.

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Principal category: Stabilizer

A food additive, which makes it possible to maintain a uniform dispersion of two or more components.

Sub categories:

- colloidal stabilizer
- emulsion stabilizer
- foam stabilizer
- stabilizer synergist
- modified starches (Dextrin/maltodextrin roasted starch, acid treated starch, alkaline treated starch and enzyme treated starch)

Principal category: Thickener

A food additive, which increases the viscosity of a food.

Sub categories:

- binder
- bodying agent
- texturizing agent
- thickener synergist
- modified starches (Dextrin/maltodextrin roasted starch, acid treated starch, alkaline treated starch and enzyme treated starch)

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ANNEXURE 2

MANDATORY NUTRITIONAL INFORMATION DECLARATION

1. FORMAT

1. The following formats provide guidance in terms of which as well as the appropriate place where nutritional information must be presented in the Nutritional Information Table, in the case—

(a) where no claim is made (Paragraph 1.1); or

(b) where a claim is made (Paragraph 1.2).

The information in **bold** is considered the minimum mandatory nutritional information that always has to be declared in the nutritional information/facts table, irrespective of whether a claim is made or not.

In the case of nutrients that are not indicated in bold, the formats serve to indicate the appropriate places where the nutrients should be placed in the nutritional information/facts table when presented, either as information offered voluntarily by the manufacturer in addition to the minimum mandatory nutritional information, or when a claim is made about a nutrient other than the minimum mandatory nutritional information and the information becomes a mandatory requirement.

1.1 TYPICAL NUTRITIONAL INFORMATION/FACTS WHERE NO CLAIM IS MADE (AS PACKED/READY-TO-CONSUME)

The nutritional information as per the format indicated below, must appear on all foodstuff labels unless a foodstuff is explicitly exempted from nutritional information labelling in these Regulations.

The heading of the nutritional information/fact table on the label must be “(TYPICAL) NUTRITIONAL INFORMATION/FACTS” where the word “typical” is optional:

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(TYPICAL) NUTRITIONAL INFORMATION/FACTS

Quantified single portion/serving/portion size expressed in grams or millilitres, whatever is appropriate, and a household measurement unless the single portion/serving/portion is already quantified in the fourth column of the Table below:

	Unit of measurement	Per 100 g/ml	Per single portion/serving/ Portion	NRV * per serving/portion (optional)
Energy	**kJ**			
Protein	**G**			
Total carbohydrates **of which carbohydrates#** **of which total sugars** glycaemic polyols## **Dietary fibre**	**G** **g** **g** **g** **g**			
Total fat###of which: **Saturated fatty acids###**	G g			
Total Sodium/salt	mg/g			

* Declaration of the Nutrient reference values (NRVs) column for individuals from the beginning of 37 months and older (see Annexure 3) expressed per single portion/serving/portion is optional.

#Glycaemic/Available carbohydrates calculated by difference

Indicate if specific polyol(s) that contribute to total energy value

Total fat and Saturated fatty acids obtained from Food Composition tables or calculated

Footnotes: Place the statements required by regulation 46(4) as appropriate as footnotes below the Table.

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1.2 (TYPICAL) NUTRITIONAL INFORMATION WHERE A CLAIM IS MADE (AS PACKED/READY-TO-CONSUME)

The format below serves as indication of—

(a) the minimum mandatory nutritional information, indicated in **bold font,** which must always be indicated irrespective of whether a claim for the particular nutrient is made or not;

(b) the correct place in the nutritional information/facts table where a specific nutrient for which a particular claim is made, or which is indicated voluntarily must be placed. Not all the nutrients need necessarily be indicated but it is mandatory for the nutrient which is the subject of the claim as well as the nutrients indicated in **bold** font.

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(TYPICAL) NUTRITIONAL INFORMATION/FACTS

Quantified single portion/serving/portion size expressed in grams or millilitres, whatever is appropriate, and a household measurement unless the single portion/serving/portion is already quantified in the fourth column of the Table below:

	Unit of measurement	Per 100 g/ml	Per single portion/ Serving	NRV * per serving (optional)
Energy	**kJ**			
Protein	**g**			
Total carbohydrates **of which carbohydrates#** **of which total sugars** glycaemic polyols## **Dietary fibre** Prebiotics	**g** **g** **g** **g** **g** mg			
Total fat### **of which:** **Saturated fatty acids###** Trans fatty acids Monounsaturated fatty acids Polyunsaturated fatty acids: of which Omega-3 fatty acids: of which DHA EPA DPA ALA	**g** **g** g g g mg mg mg mg mg			

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	Unit of measurement	Per 100 g/ml	Per single portion/ Serving	NRV * per serving (optional)
Total Sodium/salt	**mg/g**			
Any other nutrient or foodstuffs component to be declared in accordance with these Regulations shall be declared: • in the order: vitamins, minerals, carotenoids and other bioactive substances, et cetera, each group in in alphabetical order. • GI • GL	Indicated in milligrams (mg), micrograms (mcg/ µg), or IU (International Unit), as appropriate according to Annexure 3	- -	*(GI is indicated per single portion/serving/portion only, not per 100 g)*	- -

*Declaration of the NRVs column for individuals from the beginning of 37 months and older (see Annexure 3) expressed per single portion/serving is optional.

#Glycaemic carbohydrates chemically analysed when any carbohydrate-related claim is made

Indicate if specific polyol(s) contribute to total energy value

Total fat and saturated fatty acids values obtained from chemical analyses

Footnotes: Place the statements required by regulation 46(4) as appropriate as footnotes below the Table.

1.3 (TYPICAL) NUTRITIONAL INFORMATION/FACTS TABLE FOR FOOD VEHICLES

The format for the mandatory nutritional information/facts table that will be required in the case of food vehicles which are subjected to compulsory fortification according to the latest Regulations Relating to the Fortification of Certain Foodstuffs, is the applicable format suitable for the food vehicle as described in the aforementioned Regulations.

1.4 (TYPICAL) NUTRITIONAL INFORMATION/FACTS WHEN PRESENTED IN LINEAR FORMAT

When typical nutritional information is declared in linear form—

(a) energy and nutrients must be listed in the same order as per tabular formats described in points 1.1 and 1.2 above, whatever is appropriate;

(b) followed by the unit of measurement after each nutrient or energy in brackets; and

(c) separated by a semi-colon (;).

Example: Energy (kJ) (number); Protein (g) (number),.et cetera

2. ENERGY CONVERSION FACTORS

In the calculation of the energy value of a foodstuff for the purposes of the prescribed energy statement referred to in this Annexure the following conversion factors must be implemented according to the following principles:

1.1 Rounded off values must only be used in cases of mixtures of proteins, mixtures of glycaemic carbohydrates, mixtures of fats, mixtures of polyols, mixtures of dietary fibers or mixtures of prebiotics.

1.2 Where an individual isolated mono- or disaccharide sugar, isolated polyol, or isolated dietary fiber component such as NSP or resistant starch is added to a food the specific conversion faction which has not been rounded off must be used:

Examples:

1.2.1 Sucrose sold as table sugar must use the conversion factor of 16.5kJ/1g;

1.2.2 Lactose in milk, which is the sole source of sugars in milk, must use the conversion factor 16.5kJ /1g.

1.2.3 Where xylitol is the only polyol used in chewing gum, the conversion factor of 13.7kJ /1g must be used.

1.2.4 Other conversion factors

(a) Energy: 1kcal equals 4,18kJ;

(b) 1g of glycaemic carbohydrates expressed as monosaccharide equivalents—

(i) measured by direct analysis must be deemed to contribute 15.7 kJ (rounded off to 16kJ); or

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(ii) when calculated by difference must be deemed to contribute16.7kJ (rounded off to 17kJ);

(c) 1g of glucose monohydrate must be deemed to contribute 14.1kJ (rounded off to 14kJ);

(d) 1g of glucose must be deemed to contribute 15.7kJ (rounded off to 16kJ);

(e) 1g of fructose must be deemed to contribute 15.7kJ (rounded off to 16kJ);

(f) 1g of lactose must be deemed to contribute 16.5kJ (rounded off to 16kJ);

(g) 1g of sucrose must be deemed to contribute 16.5kJ (rounded off to 16kJ);

(h) 1g of starch and glycogen must be deemed to contribute 17.5kJ;(rounded off to 17kJ);

(i) 1g sucromalt, a full-calorie, low glycaemic sweetener must be deemed to contribute 16.7kJ (rounded off to 17kJ)

(j) 1g isomaltulose, a full-calorie, low glycaemic sweetener must be deemed to contribute 16.7kJ (rounded off to 17kJ)

(k) 1g of NSP fibre shall be deemed to contribute 7.7kJ (rounded off to (8kJ);

(l) 1g of fermentable fibre must be deemed to contribute 11kJ, excluding synthetic polydextrose, fructo-oligosaccharides, inulin and maize bran;

(m) 1g of resistant starch must be deemed to contribute 11.4kJ (rounded off to 11kJ);

(n) 1g of synthetic polydextrose (5% glucose) must be deemed to contribute 6.6kJ (rounded off to 7kJ);

(o) 1g of isolated Fructo-oligosaccharides must be deemed to contribute 11.1kJ (rounded off to 11kJ);

(p) 1g of isolated inulin(pure) must be deemed to contribute 11.4kJ (rounded off to 11 kJ);

(q) 1g of non-digestible oligosaccharides in general conventional foodstuffs must be deemed to contribute 11.1kJ (rounded off to 11kJ);

(r) 1g of maize bran must be deemed to contribute 1,3kJ;

(s) 1000mg NaCl converts to 400mg Na (1000 divided by a factor of 2.5).

(t) 1g of protein must be deemed to contribute 16.8kJ (rounded off to 17kJ);

(u) 1g of alcohol (ethanol) must be deemed to contribute 29kJ;

(v) 1g of fat must be deemed to contribute 37.4kJ (rounded off to 37kJ);

(w) 1g of organic acid must be deemed to contribute 13kJ;

(x) Polyols:

(aa) 1g of glycerol must be deemed to contribute 18kJ;

(bb) 1g of polyol not specified hereunder must be deemed to contribute 10kJ;

1.3 **For the purposes of this Annexure, "NSP"** means the non-starch or non-α-glucan polysaccharides of carbohydrates namely, cellulose, hemicellulose, pectin, arabinoxylans, b-glucan, glucomannans, plant gums, mucilages, and hydrocolloids;

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TABLE 11: ESTIMATED GLYCAEMIC CARBOHYDRATE CONTENT OF VARIOUS POLYOLS

Estimated glycaemic carbohydrate content of various polyols*			
Sugar Alcohol/Polyol	**Theoretical value (kJ)**	**Estimated glycaemic carbohydrate contribution (%)**	**Final kJ value to use in calculation of energy**
Erythritol1 g of Erythritol must be deemed to contribute 1.1 kJ (rounded off to 1 kJ)	1.1	0	1
1g of Xylitol must be deemed to contribute 13.7kJ; (rounded off to 14kJ)	13.2	50	7
1g of Mannitol must be deemed to contribute 8.1kJ (rounded off to 8 kJ)	8.1	0	8
1g of Sorbitol must be deemed to contribute 11.7 (rounded off to 12 kJ);	11.2	25	3
1g of Lactitol shall be deemed to contribute 10.7kJ (rounded off to 11kJ);	10.7	0	11
1g of Isomalt must be deemed to contribute 11.2kJ (rounded off to 11kJ)	11.2	10	1.1 rounded off to 1
1g of Maltitol must be deemed to contribute 13kJ		40	5.2 rounded off to 5
Maltitol syrup, (regular, intermediate and high maltitol syrups		50	6.5 rounded off to 7
Maltitol syrup, (high-polymer maltitol syrup		40	5.2 rounded off to 5

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Estimated glycaemic carbohydrate content of various polyols*			
Sugar Alcohol/Polyol	**Theoretical value (kJ)**	**Estimated glycaemic carbohydrate contribution (%)**	**Final kJ value to use in calculation of energy**
1g of Polyglycitol must be deemed to contribute 13.2kJ (rounded off to 13kJ)		40	5.2 rounded off to 5

*Source: Table A.1 from ISO26642

References:

- Elia, M and Cummings, JH. 2007. FAO/WHO Scientific Update on Carbohydrates in Human Nutrition: Physiological aspects of energy metabolism and gastrointestinal effects of carbohydrates. European Journal of Clinical Nutrition, 61 (Suppl 1): S40–S74
- FAO Foodstuffs and Nutrition Paper no77: Foodstuffs Energy – methods of analysis and conversion factors
- FSANZ: FINAL ASSESSMENT REPORT APPLICATION A537 REDUCTION IN THE ENERGY FACTOR ASSIGNED TO MALTITOL: 05 October 2005

3. PROTEIN CONVERSION FACTORS

TABLE 12: FACTORS FOR CONVERTING TOTAL NITROGEN TO PROTEIN

	FACTOR
Meat, Poultry and Fish	6,25
Eggs:	6.25
*Whole	6,32
*Albumin	6,12
*Vitellin	6,38
Milk and milk products	6,40
Casein	6,37

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	FACTOR
Human milk	5.69
Soya	6,25
Beans	
Nuts:	5,18
*Almond	5,46
*Brazil and groundnuts	5,30
*Others	5,55
Gelatine	5,30
Oil seeds	
Cereals:	5,70
*Durum wheat	
*Wheat:	5,83
**Whole	6,31
**Bran	5,80
**Embryo	5,70
**Endosperm	5,95
*Rice	5,83
*Barley, oats and rye	6,31
*Millet	6,25
*Maize	4,74
Chocolate and cocoa	4,38
Mushrooms	5,70
Yeast	6,25
Compound foodstuffs (mixed proteins)	

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ANNEXURE 3

NRVs FOR THE PURPOSES OF THESE REGULATIONS

NUTRIENT	UNIT OF MEASUREMENT	INDIVIDUALS FROM THE BEGINNING OF 37 MONTHS AND OLDER**	
		Nutrient Reference Values Requirements (NRVs-R)	Nutrient Reference Values Non communicable Disease (NRVs-NCD)
MACRO NUTRIENTS			
Protein	g	50	-
Saturated fat	g	-	Daily intake level not to exceed is 20
MICRO NUTRIENTS			
(ELEMENTAL) VITAMINS			
Vitamin A	µg or mcg RAE or RE	800	-
Vitamin B_1 or thiamine	mg	1,2	-
Vitamin B_2 or riboflavin	mg	1,2	-
Nicotinic acid, nicotinamide or niacin[e]	mg ne	15	-
Vitamin B_6 or pyridoxine	mg	1,3	-
Folate (naturally occurring in foodstuffs)	µg or mcg DFE	400	-

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NUTRIENT	UNIT OF MEASUREMENT	INDIVIDUALS FROM THE BEGINNING OF 37 MONTHS AND OLDER**	
		Nutrient Reference Values Requirements (NRVs-R)	**Nutrient Reference Values Non communicable Disease (NRVs-NCD)**
Vitamin B_{12} or cyanocobalamin	µg or mcg	2,4	-
Biotin	µg or mcg	30	-
Pantothenic acid	mg	5	-
Vitamin C or ascorbic acid	mg	100	-
Vitamin D	µg or mcg	15	-
Vitamin E	mg TE or the applicable forms of vitamin E isomers	9	-
Vitamin K (Vitamin K_1 and K_2 ,when naturally present in foodstuffs and does not included added Vitamin K_1 and $K_{2.}$)	µg/mcg	60	-
(ELEMENTAL) MINERALS			
Boron***	mg	1.5***	-
Calcium	mg	1000	-

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NUTRIENT	UNIT OF MEASUREMENT	INDIVIDUALS FROM THE BEGINNING OF 37 MONTHS AND OLDER**	
		Nutrient Reference Values Requirements (NRVs-R)	Nutrient Reference Values Non communicable Disease (NRVs-NCD)
Chromium	µg/mcg	50	-
Copper	mg	1.5	-
Iodine	µg/mcg	150	-
Iron	mg	22	-
Magnesium	mg	310	-
Manganese	mg	3	-
Molybdenum	µg/mcg	45	-
Phosphorus	mg	550	-
Potassium	mg	-	Daily intake level to achieve is 3 500
Sodium	mg	-	Daily intake level not to exceed is 2000
Selenium	µg/mcg	60	
Vanadium****	mg	0.9****	
Zinc	mg	14	
Choline	mg	550	

- NRVs means a set of numerical values that are based on scientific data for the purposes of nutrition labelling and relevant claims for the age which begins at 37 months and older. They comprise the following two types of NRVs:
    - Nutrient Reference Values—Requirements refer to NRVs-R that are based on levels of nutrients associated with nutrient requirements; and

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- Nutrient Reference Values—Non-communicable Diseases refer to NRVs-NCD that are based on levels of nutrients associated with the reduction in the risk of diet-related non-communicable diseases not including nutrient deficiency diseases or disorders.

- The values used in this Table are based on Recommended Dietary Allowances (RDAs) which will meet the needs of nearly all (97 to 98%) healthy individuals to prevent nutrient deficiencies. RDA values are not necessarily enough to maintain optimum nutritional status and prevent chronic disease. These values are therefore considered to be the minimum amounts necessary to achieve and maintain optimum nutritional status which will assist in the reduction of disease, specifically degenerative diseases of lifestyle.

- The NRV for Boron is 50% of the UL for the age group 1 to 3 years. No value for the age group birth to 1 year could be established due to lack of data on adverse effects for this age group.

- The NRV value for Vanadium is 50% of the UL value for males and females from 19 to 70 years old since no value could be established due to lack of data on adverse effects for the other age groups.

CONVERSION FACTORS FOR CERTAIN VITAMINS AND MINERALS

Vitamin	**Conversion factors**	
Vitamin A occurring naturally in food	1 mcg retinol activity equivalents (RAE) = **OR**	1 mcg retinol 12 mcg β-carotene 24 mcg other provitamin A carotenoids 2 mcg all-*trans*-β-carotene from red palm oil.

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Vitamin	**Conversion factors**	
	1 mcg retinol equivalents (RE) =	1 mcg retinol 6 mcg β-carotene 12 mcg other provitamin A carotenoids
Vitamin A added to food	1 mcg retinol =	1 15 mcg retinyl acetate* 1.83 mcg retinyl palmitate*

*calculated by stoichiometry from retinol

Vitamin	**Conversion factors**		
Vitamin D	1 mcg cholecalciferol (Vitamin D_3) = 1 mcg Ergocalciferol (Vitamin $D)_2$ =	40 I.U. of Vitamin $D_{2 \text{ and } 3}$	
Vitamin E occurring naturally in food	1 mg α-Tocopherol Equivalents (α-TE) =	RRR-α-tocopherol (d-α-Tocopherol)	1
		β- tocopherol	2
		γ-tocopherol	10
		α-tocotrienol	3.3
		β-tocotrinol	20
Vitamin E added to food	1 mg RRR-α-tocopherol =	1.10 mg *RRR*-α-tocophery acetate**	
		1.23 mg *RRR*-α-tocopheryl succinate**	
		2.00 mg *all-rac*-α-tocopherol (di-α-tocopherol***	

**calculated by stoichiometry from RRR-α-tocopherol

***conversion factor for *all-rac*-α-tocopherol based on half of activity of RRR-α-tocopherol

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Vitamin	**Vitamin Dietary equivalents**	**Conversion factors**
Niacin	Niacin 1mg niacin equivalents (NE) =	1mg niacin 60 mg tryptophan
Folate	1µg dietary folate equivalents (DFE) =	1µg food folate 0.6µg folic acid added to food oras supplement consumed with food 0.5µg folic acid as supplement taken on an empty stomach

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ANNEXURE 4

EVALUATION OF PROTEIN QUALITY FOR THE PURPOSE OF WHEN A PROTEIN CLAIM IS MADE

1. Recommended reference amino acid scoring pattern* contains (per 1g protein):

Histidine	20.0	mg
Isoleucine	32.0	mg
Leucine	66.0	mg
Lysine	57.0	mg
Methionine plus cystine	27.0	mg
Phenylalanine plus tyrosine	52.0	mg
Threonine	31.0	mg
Tryptophan	8.5	mg
Valine	43.0	mg

*Recommended amino acid scoring pattern for children (6 months to 3 year): 2011 FAO Expewrt Consultation on Protein Quality Evaluation in Human Nutrition, FAO Food and Nutrition paper 92

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2. Template

Reference amino acid pattern per 1g protein*		**Example foodstuffs** *Source of information***		**Amino acids expressed as % from reference amino acids**
		Analysed amino acids (g) in 100 g edible foodstuffs/…g. total protein	**Conversion to amino acids (g) in 1 gram protein in foodstuffs**	**Rounded off to 2 decimal points (0.00)**
Histidine (g)	0.020			
Isoleucine (g)	0.032			
Leucine (g)	0.066			
Lysine (g)	0.057			
Methionine plus cystine (g)	0.027			
Phenylalanine plus tyrosine (g)	0.052			
Threonine (g)	0.031			
Tryptophan (g)	0.0085			
Valine (g)	0.043			

*Recommended amino acid scoring pattern for children (6 months to 3 year): 2011 FAO Expert Consultation on Protein Quality Evaluation in Human Nutrition, FAO Food and Nutrition paper 92

** Source of information

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3a. Example 1: Skim milk, fresh (compliant in terms of protein quality)

Reference amino acid pattern per 1g protein*		**Skim milk, fresh** **Information source: MRC Tables Code: 0072(new code 2775) ****		**Amino acids expressed as % from reference amino acids**	
		Analysed amino acids (g) in 100 g edible foodstuffs/ 3.4g**. total protein**	**Conversion to amino acids (g) in 1 gram protein in foodstuffs**	**Rounded off to 2 decimal points (0.00)**	
Histidine (g)	0.020	0.092	0.027058824	135.29	√
Isoleucine (g)	0.032	0.206	0.060588235	189.34	√
Leucine (g)	0.066	0.334	0.098235294	148.84	√
Lysine (g)	0.057	0.27	0.079411765	139.32	√
Methionine plus cystine (g)	0.027	0.118	0.034705882	128.54	√
Phenylalanine plus tyrosine (g)	0.052	0.33	0.097058824	186.65	√
Threonine (g)	0.031	0.154	0.045294118	146.11	√
Tryptophan (g)	0.0085	0.048	0.014117647	166.09	√
Valine (g)	0.043	0.228	0.067058824	155.95	√

*Recommended amino acid scoring pattern for children (6 months to 3 year): 2011 FAO Expert Consultation on Protein Quality Evaluation in Human Nutrition, FAO Food and Nutrition paper 92

**Fatty acid and amino acid composition tables – Supplement to MRC Foodstuffs Composition Tables (1991)

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3b. Example 2: Peanut butter, smooth (non-compliant in terms of protein quality)

Reference amino acid pattern per 1g protein*		**Peanut butter, smooth** **Information source: MRC Tables Code 6509 (new code 3485)****		**Amino acids expressed as % from reference amino acids**	
		Analysed amino acids (g) in 100 g edible foodstuffs/ 24.6g**. total protein**	**Conversion to amino acids (g) in 1 gram protein in foodstuffs**	**Rounded off to 2 decimal points (0.00)**	
Histidine (g)	0.020	0.622	0.025284553	126.42	√
Isoleucine (g)	0.032	0.865	0.035162602	109.88	√
Leucine (g)	0.066	1.594	0.064796748	98.1	X
Lysine (g)	0.057	0.883	0.035894309	62.97	X
Methionine plus cystine (g)	0.027	0.302	0.012276423	45.47	X
Phenylalanine plus tyrosine (g)	0.052	1.275	0.051829268	99.67	X
Threonine (g)	0.031	0.842	0.034227642	110.41	√
Tryptophan (g)	0.0085	0.239	0.009715447	114.30	√
Valine (g)	0.043	1.031	0.041910569	97.47	X

*Recommended amino acid scoring pattern for children (6 months to 3 year): 2011 FAO Expert Consultation on Protein Quality Evaluation in Human Nutrition, FAO Food and Nutrition paper 92

**Fatty acid and amino acid composition tables – Supplement to MRC Foodstuffs Composition Tables (1991)

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ANNEXURE 5

LETTER SIZES: DEFINITION OF x-HEIGHT

x-HEIGHT

Interpretation Key

1	Ascender line
2	Cap line
3	Mean line
4	Baseline
5	Descender line
6	**x-height**
7	**Vertical Font height/font size**

ANNEXURE 6

THE MAJOR DIETARY CARBOHYDRATES

CLASS (DP*)	SUBGROUP	COMPONENTS (Examples)
Sugars (1-2)	Monosaccharides	Glucose, galactose, fructose
	Disaccharides	Sucrose, lactose, trehalose, maltose
	Polyols	Sorbitol, Mannitol, Xylitol, Lactotol
Oligosaccharides (3-9)	Malto-oligosaccharides	Maltodextrins
	Other oligosaccharides	Raffinose, stachyose, Fructo-oligosaccharides
Polysaccharides (>9)	Starch	Amylose, amylopectin Modified starches
	Non-starch polysaccharides (NSP)	The non-starch or non-beta-glucan polysaccharides of carbohydrates namely, cellulose, hemicellulose, pectin, arabinoxylans, b-glucan, glucomannans, plant gums, mucilages, and hydrocolloids

DP* = Degree of polymerisation

References: Carbohydrates in Human Nutrition (1997): Report of a Joint FAO/WHO Expert Consultation, Rome

ANNEXURE 7

1. CULINARY HERBS AND SPICES ORDINARILY USED IN FOOD PREPARATION

HERB/SPICE	***BOTANICAL NAME***
Allspice	*Pimenta dioica* *Pimenta officinalis* (Berg)
Aniseed.	*Pimpinella anisum*
Anise star	*Illicium verum* L.
Bay leaf	*Laurus nobilis* L.
Caraway	*Carum carvi* L.
Cardamom	*Elettaria cardamomum* (Maton)
Cassia (wild cinnamon, sena leaves)	*Cinnamomum burmanii* L. *Cinnamomum cassia* L. *Cinnamomum loureirii* (Nees) *Cinnamomum zeylanicum* (Nees)
Cayenne pepper (chilli)	*Capsicum annum* L. *Capsicum baccatum* L. *Capsicum frutescens* L. and others
Celery (seed)	*Apium graveolens* L.
Chervil	*Anthriscus cerefoliom* (Hoffm.)
Chives	*Allium schoenoprasum* L.
Cinnamon	See cassia
Cloves	*Eugenia caryophyllus* *Caryophyllus aromaricus* L.
Coriander	*Coriandrum sativum* L.
Cumin	*Cuminum cyminum* L.
Dill seed	*Anethum graveolens* L.

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HERB/SPICE	***BOTANICAL NAME***
Fennel	*Foeniculum vulgare* L.
Fenugreek (Greek hay)	*Trigonella foenum-graecum* L.
Garlic	*Allium sativum* L.
Ginger	*Zingiber officinale* L.
Horseradish	*Cochlearia armoracia* L.
Mace (seed coat)	*Myristica fragrans* (Houtt.)
Marjoram (motherwort)	*Majora hortensis*
Origanum	*Origanum vulgare* L. *Origanum* spp. *Origanum majorana* L. *Origanum nitex*
Mustard (black)	*Brassica juncea* L. *Brassica nigra* L.
Mustard (white)	*Brassica hirta*
	Sinapis alba L.
Nutmeg (limed or unlimed)	*Myristica fragrans* (Houtt.)
Onion	*Allium cepa* L.
Paprika	*Capsicum annuum* L. *Capsicum fragrans* L. *Capsicum frutescens* L.
Parsley	*Petroselinum carum* *Petroselinum crispum* (Hoffm.)

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HERB/SPICE	***BOTANICAL NAME***
Pepper (black)	*Piper nigrum* L.
Pepper (white)	*Piper nigrum* L.
Peppermint	*Mentha piperita* L.
Poppy seed	*Papaver somniferum* L.
Rosemary	*Rosmarinus officinalis* L.
Saffron	*Crocus sativus* L.
Sage	*Salvia officinalis* L.
Savory (bean wort)	*Satureja hortensis* L. *Satureja montana* L.
Sesame	*Sesamum indicum* L.
Shallot	*Allium ascolonicom*
Spearmint (garden mint)	*Mentha spicata* L. *Mentha viridus*
Sweet basil (basil wort)	*Ocimum basilicum* L.
Tarragon	*Artemisia dracunculus* L.
Thyme	*Thymus vulgaris* L.
Turmeric (curcuma root)	*Curcuma longa* L.

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2a. Herbs not ordinarily used as culinary herbs, but which are permitted in foodstuffs

Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Alfalfa / Lucerne	herb	*Medicago sativa L.*
Allspice	fruits	*Pimenta dioica(L.) Merr. /Pimenta officinalisLindl.*
Almond	flowers	*Prunus dulcisvar.dulcis*
Almond	seeds	*Prunus dulcisvar.dulcis*
Anise	fruits	*Pimpinella anisum L.*
Apple	fruits	*Malus domesticaBorkh.*
Apple mint	leaves	*Mentha suaveolensEhrh.*
Apricot	fruits	*Armeniaca vulgarisLam. /Prunus armeniacaL.*
Asparagus	shoots	*Asparagus officinalisL.*
Bamboo	shoots	*Bambusa vulgarisSchrad. ex Wendl.*
Banana	fruits	*Musa × paradisiacaL.*
Barley	seeds	*Hordeum vulgareL.*
Bay	leaves	*Laurus nobilisL.*
Beetroot	bulbs	*Beta vulgarisvar.vulgaris*
Bilberry / Blueberry	fruits	*Vaccinium myrtillusL.*
Bitter Orange	flowers	*Citrus aurantiumL.*
Bitter Orange	peel	*Citrus aurantiumL.*
Bitter Orange	fruits	*Citrus aurantium L.*
Black mulberry	fruits	*Morus nigraL.*

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Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Black mustard	seeds	*Brassica nigra (L.) Koch*
Blackberry	fruits	*Rubus fruticosusL.*
Blackcurrant	fruits	*Ribes nigrumL.*
Blond psyllium	husks	*Plantago ovata Forssk.*
Blond psyllium	seeds	*Plantago ovata Forssk.*
Blueberry	fruits	*Vaccinium corymbosumL.*
Box thorn	fruits	*Lycium barbarum* L.
Boysenberry / Loganberry	fruits	*Rubus x loganobaccusL.H. Bailey*
Brazil pepper	fruits	*Schinus molleL.*
Buchu	leaves	*Barosma betulina (Bergius) Bartl. & Wendl. /Agathosma betulinaPillans*
Buckwheat	fruits	*Fagopyrum esculentumMoench*
Cabbage	leaves	*Brassica oleraceaL.*
Camomile	flowers1	*Matricaria recutitaL. /Matricaria chamomillaL.*
Camomile	herb2	*Matricaria recutitaL. /Matricaria chamomillaL.*
Camomile	seeds	*Matricaria recutitaL. /Matricaria chamomillaL.*
Caper	buds of the flowers	*Capparis spinosaL.*
Caraway	fruits	*Carum carviL.*
Cardamom	fruits	*Elettaria cardamomum (L.) Maton*
Cardamom	husks	*Elettaria cardamomum (L.) Maton*

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Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Carob	fruits	*Ceratonia siliquaL.*
Carrot	roots	*Daucus carota subsp.sativus*
Celery	leaves	*Apium graveolensL.*
Celery	seeds	*Apium graveolensL.*
Chervil	herb	*Anthriscus cerefolium* (L.) Hoffm.
Chick pea	seeds	*Cicer arietinum subsp.arietinum*
Chicory	herb	*Cichorium intybusL.*
Chicory	roots	*Cichorium intybusL.*
Chilli pepper	fruits	*Capsicum frutescensL.*
Cinnamon	bark	*Cinnamomumspec.*
Cinnamon	flowers	*Cinnamomumspec.*
Clove	buds	*Syzygium aromaticum (L.) Merr. & Perry /Eugenia caryophyllataThunb.*
Cocoa	seeds	*Theobroma cacaoL.*
Cocoa	husks	*Theobroma cacaoL.*
Coconut	seeds	*Cocos nuciferaL.*
Coffee	seeds	*Coffea arabicaL.*
Coffee	seeds	*Coffea canephoraPierre ex Froehner /Coffea robustaLinden*
Cola nut	seeds	*Cola acuminata (P. Beauv.) Schott & Endl.*
Cola nut	seeds	*Cola nitida (Vent.) Schott & Endl. /Cola veraK. Schum.*
Coriander	leaves	*Coriandrum sativumL.*

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Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Coriander	seeds	*Coriandrum sativumL.*
Corn	seeds	*Zea maysL.*
Cornflower	flowers	*Cyanus segetum Hill/Centaurea cyanusL.*
Cowberry	fruits	*Vaccinium vitis-idaea L.*
Crab apple	fruits	*Malus sylvestris (L.) Mill.*
Cranberry	fruits	*Vaccinium macrocarponAiton*
Creeping thyme	herb	*Thymus serpyllumL.*
Cubeb pepper	fruits	*Piper cubebaL.f.*
Cumin	fruits	*Cuminum cyminumL.*
Date	fruits	*Phoenix dactyliferaL.*
Dill	herb	*Anethum graveolensL.*
Dill	fruits	*Anethum graveolensL.*
Elder	flowers	*Sambucus nigra* L.
Elder	fruits	*Sambucus nigra* L.
Fennel	fruits	*Foeniculum vulgarevar.vulgare*
Fenugreek	seeds	*Trigonella foenum- graecumL.*
Fig	fruits	*Ficus caricaL.*
Fleawort	seeds	*Plantago afraL. /Plantago psylliumL.*
French bean	seeds	*Phaseolus vulgarisL.*
Garden nasturtium	herb	*Tropaeolum majusL.*
Garden pea	seeds	*Pisum sativumL.*
Garden rhubarb	stems	*Rheum rhabarbarumL.*
Garlic	bulbs	*Allium sativumL.*

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Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Ginger	roots	*Zingiber officinaleRoscoe*
Globe artichoke	flower head including receptacl e	*Cynara cardunculusL.*
Grape	leaves	*Vitis viniferaL.*
Grape	fruits	*Vitis viniferaL.*
Grapefruit	fruits	*Citrus paradisiMacfad.*
Grapefruit	peel	*Citrus paradise* Macfad.
Green cabbage / Kale	leaves	*Brassica oleraceavar.sabellicaL.*
Guava	fruits	*Psidium guajavaL.*
Hazelnut	leaves	*Corylus avellanaL.*
Hazelnut	seeds	*Corylus avellanaL.*
Hemp	seeds	*Cannabis sativa L. (except Cannabis sativa subsp. indica)*
Holy basil	herb	*Ocimum tenuiflorumL. /Ocimum sanctumL.*
Honey bush	herb	*Cyclopia genistoides (L.) Vent.*
Honey bush	herb	*Cyclopia intermediaE. Mey.*
Honey bush	herb	*Cyclopia sessilifloraEckl. & Zeyh.*
Honey bush	herb	*Cyclopia subternataVogel*
Horseradish	roots	*Armoracia rusticanaP. Gaertn., B. Mey. & Scherb.*
Jerusalem artichoke	tubers	*Helianthus tuberosusL.*
Juniper	fruits	*Juniperus communis* L.

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Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Kiwi	fruits	*Actinidia deliciosa (A. Chev.) C.F. Liang & A.R. Ferguson*
Lavender	flowers	*Lavandula angustifoliaMill. /Lavandula officinalisChaix.*
Leek	leaves	*Allium ampeloprasum ampeloprasumLeek Group /Allium porrumL.*
Lemon	fruits	*Citrus limon (L.) Burm.f.*
Lemon	peel	*Citrus limon (L.) Burm.f.*
Lemon balm	leaves	*Melissa officinalis* L.
Lemon balm	leaves	*Melissa officinalis* L.
Lemon thyme	herb	*Thymus × citriodorus (Pers.) Schreb.*
Lemon verbena	herb	*Aloysia citriodoraPalau/ Lippia triphylla(L´Hér.) Kuntze*
Lemongrass	herb	*Cymbopogonspec.*
Lime	fruits	*Citrus aurantiifolia (Christm. & Panz.) Swingle*
Lime	peel	*Citrus aurantiifolia (Christm. & Panz.) Swingle*
Lime / Linden	flowers	*Tilia cordataMill.*
Lime / Linden	leaves	*Tilia cordataMill.*
Lime / Linden	flowers	*Tilia platyphyllosScop.*
Lime / Linden	leaves	*Tilia platyphyllosScop.*
Linseed	seeds	*Linum usitatissimumL.*

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Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Lovage	herb	*Levisticum officinaleW. Koch*
Macadamia	seeds	*Macadamia ternifoliaF. Muell.*
Mandarin orange	fruits	*Citrus reticulataBlanco /Citrus deliciosaTen.*
Mandarin orange	peel	*Citrus reticulataBlanco /Citrus deliciosaTen.*
Mango	fruits	*Mangifera indicaL.*
Marigold	flowers	*Calendula officinalis* L.
Marjoram	herb	*Origanum majoranaL.*
Maté	leaves	*Ilex paraguariensis* A. St.-Hil.
Melon	fruits	*Cucumis meloL.*
Millet	seeds	*Panicum miliaceumL.*
Mint	herb	*Menthaspec.*
Morello cherry	fruits	*Cerasus vulgarisMill. /Prunus cerasusL.*
Nettle	herb	*Urtica* spec.
Nutmeg	aril	*Myristica fragrans* Houtt.
Nutmeg	seeds	*Myristica fragrans* Houtt.
Oat	seeds	*Avena sativa L.*
Oat	herb	*Avena sativa L.*
Olive	leaves	*Olea europaea L.*
Onion	bulbs	*Allium cepaL.*
Oregano	herb	*Origanum vulgareL.*
Papaya	fruits	*Carica papayaL.*
Papaya	leaves	*Carica papayaL.*

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Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Paprika	fruits	*Capsicum annuumL.*
Parsley	leaves	*Petroselinum crispum (Mill.) Nym.*
Parsnip	roots	*Pastinaca sativaL.*
Passion fruit	fruits	*Passiflora edulisSims*
Peach	fruits	*Persica vulgarisMill. /Prunus persicaBatsch*
Pear	fruits	*Pyrus communisL. /Pyrus domesticaMed.*
Pepper (green, black, white)	fruits	*Piper nigrumL.*
Peppermint	leaves	*Mentha × piperitaL.*
Pineapple	fruits	*Ananas comosus (L.) Merrill*
Pistachio	seeds	*Pistacia veraL.*
Plum	fruits	*Prunus domesticaL.*
Pomegranate	fruits	*Punica granatumL.*
Poppy	seeds	*Papaver somniferum subsp.somniferum*
Pumpkin	seeds	*Cucurbita pepoL.*
Quince	fruits	*Cydonia oblonga Mill.*
Radish	roots	*Raphanus sativus L.*
Raspberry	fruits	*Rubus idaeus L.*
Red currant	fruits	*Ribes rubrumL.*
Rice	seeds	*Oryza sativa L.*
Rooibos	herb	*Aspalathus linearis (Burm.f.)R. Dahlgr.*
Rose	petals	*Rosaspec.*
Rose hip	fruits	*Rosa canina L.*

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Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Rosemary	leaves	*Rosmarinus officinalis L.*
Saffron	stigmata and styles	*Crocus sativus L.*
Sage	leaves	*Salvia officinalis L.*
Savory	herb	*Satureja hortensis L.*
Sea buckthorn	fruits	*Hippophae rhamnoides L.*
Shiitake mushroom	fruiting body	*Lentinula edodes (Berk.) Pegler*
Silver lime	flowers	*Tilia tomentosa Moench /Tilia argentea DC.*
Silver lime	leaves	*Tilia tomentosa Moench /Tilia argentea DC.*
Sloe	fruits	*Prunus spinose L.*
Sorrel	herb	*Rumex acetosa L.*
Spearmint	leaves	*Mentha spicata L.*
Spelt	seeds	*Triticum aestivum subsp.spelta (L.) Thell.*
Spinach	leaves	*Spinacia oleraceaL.*
Sprouting broccoli	flowers and stems	*Brassica oleracea L.var.italicaPlenck*
Star anise	fruits	*Illicium verumHook.f.*
Strawberry	fruits	*Fragaria × ananassaDuchesne*
Strawberry	leaves	*Fragaria × ananassaDuchesne*
Sunflower	petals	*Helianthus annuusL.*
Sunflower	seeds	*Helianthus annuusL.*

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Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Sweet basil	herb	*Ocimum basilicumL.*
Sweet blackberry	leaves	*Rubus chingii var. suavissimus (S. Lee) L.T. Lu/ Rubus suavissimusS. K. Lee*
Sweet cherry	fruits	*Cerasus avium (L.) Moench/Prunus avium (L.) L.*
Sweet fennel	fruits	*Foeniculum vulgarevar.dulceb (Mill.) Battand. & Trabut*
Sweet orange	flowers	*Citrus sinensis (L.) Osbeck*
Sweet orange	fruits	*Citrus sinensis (L.) Osbeck*
Sweet orange	peel	*Citrus sinensis (L.) Osbeck*
Tamarind	fruits	*Tamarindus indicaL.*
Tarragon	leaves	*Artemisia dracunculusL.*
Tea	flowers	*Camellia sinensis (L.) Kuntze*
Tea	leaves and buds	*Camellia sinensis (L.) Kuntze*
Tea	stems	*Camellia sinensis (L.) Kuntze*
Thyme	herb	*Thymus vulgarisL.*
Turmeric	roots	*Curcuma longaL./ Curcuma domesticaValeton*
Vanilla	fruits	*Vanilla planifoliaAndr. /Vanilla fragrans (Salisb.) Ames*
Walnut	seeds	*Juglans regiaL.*
Watercress	herb	*Nasturtium officinale R. Br.*
Watermint	herb	*Mentha aquatic L.*

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Herbs that may be accepted as Food (example: for use as a tea) when: a) used without any medicinal indications; and b) when not presented in pharmaceutical dosage form.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Wheat	seeds	*Triticum aestivum L.*
White jasmine	flowers	*Jasminum officinale L.*
White mulberry	fruits	*Morus alba L.*
White mustard	seeds	*Sinapis alba L.*
Yellow plum	fruits	*Prunus domestica subsp. Syriaca (Borkh.) Janchen ex Mansfeld*

2(b). Herbs that are not to be used in foodstuffs

Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Agrimony	herb	*Agrimonia eupatoriaL.*
Aloe vera	leaf gel	*Aloe barbadensisMill. /Aloe vera(L.) Burm.f.*
Alpine ladies mantle	herb	*Alchemilla alpinaL.*
Angelica	roots	*Angelica archangelicaL.*
Angelica	stems	*Angelica archangelicaL.*
Annato	seeds	*Bixa orellanaL.*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Apricot	seeds	*Armeniaca vulgarisLam. /Prunus armeniacaL.*
Barbados cherry	fruits	*Malpighia glabraL. /Malpighia punicifoliaL.*
Bear garlic	herb	*Allium ursinum L.*
Bee balm	flowers	*Monarda didyma L.*
Bilberry / Blueberry	leaves	*Vaccinium myrtillusL.*
Birch	leaves	*Betula pendula* Roth
Bitter Gourd	fruits	*Momordica charantiaL.*
Bitter Orange	leaves	*Citrus aurantium L.*
Black locust	flowers	*Robinia pseudoacaciaL.*
Black mulberry	leaves	*Morus nigra L.*
Blackberry	leaves	*Rubus fruticosus L.*
Blackcurrant	leaves	*Ribes nigrum L.*
Blue flag	roots	*Iris versicolorL.*
Boldu	leaves	*Peumus boldusMol.*
Borage	herb	*Borago officinalisL.*
Brazil pepper	fruits	*Schinus terebinthifolius Raddi*
Buckwheat	herb	*Fagopyrum esculentum* Moench

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Burdock	roots	*Arctium lappaL. /Arctium majusBernh.*
Calamus	roots	*Acorus calamusL.*
Carrageen	thallus	*Chondrus crispus (L.) Stackh.*
Catmint	herb	*Nepeta cataria* L.
Celery	roots	*Apium graveolensL.*
Centaury	herb	*Centaurium erythraeaRaf.*
Chiretta	herb	*Swertia chirataBuch.- Ham. ex Wall.*
Cinchona	bark	*Cinchona pubescensVahl /Cinchona succirubraPav. ex Klotzsch*
Clary sage	flowers	*Salvia sclarea* L.
Clary sage	leaves	*Salvia sclarea* L.
Clubmoss	herb	*Lycopodium clavatumL.*
Common speedwell	herb	*Veronica officinalisL.*
Common wormwood	herb	*Artemisia absinthiumL.*
Condurango	bark	*Marsdenia cundurangoRchb.f.*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Corn	stigmas and styles	*Zea maysL.*
Couch-Grass	roots	*Elymus repens (L.) Gould /Agropyron repens(L.) P. Beauv.*
Cowberry	leaves	*Vaccinium vitis-idaea* L.
Cowslip / Primrose	flowers	*Primula verisL.*
Cowslip / Primrose	roots	*Primula verisL.*
Curcuma	roots	*Curcuma xanthorrizaRoxb.*
Daisy	flowers	*Bellis perennisL.*
Damiana	leaves	*Turnera diffusaWilld. ex Schult.*
Dandelion	herb	*Taraxacumsect. Ruderalia /Taraxacum officinaleauct.*
Dandelion	roots	*Taraxacumsect. Ruderalia /Taraxacum officinaleauct.*
Dwarf elder	fruits	*Sambucus ebulusL.*
Dwarf mountain pine	shoots	*Pinus mugoTurra*
Dyer’s broom	flowers	*Genista tinctoriaL.*
Echinacea	herb	*Echinacea angustifoliaDC.*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Echinacea	herb	*Echinacea pallida (Nutt.) Nutt.*
Echinacea	herb	*Echinacea purpurea (L.) Moench*
Echinacea	roots	*Echinacea angustifoliaDC.*
Echinacea	roots	*Echinacea pallida (Nutt.) Nutt.*
Echinacea	roots	*Echinacea purpurea (L.) Moench*
Elder	leaves	*Sambucus nigraL.*
Elecampane	roots	*Inula heleniumL.*
Eucalyptus	leaves	*Eucalyptus globulusLabill.*
European barberry	fruits	*Berberis vulgarisL.*
Eyebright	herb	*Euphrasia officinalisL.*
Field horsetail	herb	*Equisetum arvenseL.*
Field poppy	flowers	*Papaver rhoeasL.*
Fir	shoots	*Abies spec.*
Fragrant sumac	bark	*Rhus aromatica Aiton*
Fragrant sumac	root bark	*Rhus aromatica Aiton*
French bean	pods	*Phaseolus vulgarisL.*
Fumitory	herb	*Fumaria officinalisL.*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Galangal	roots	*Alpinia galanga (L.) Willd.*
Ginkgo	leaves	*Ginkgo bilobaL.*
Ginseng	roots	*Panax ginsengC. A. Mey.*
Goat´s rue	herb	*Galega officinalisL.*
Golden root	roots	*Rhodiola roseaL.*
Golden root	herb	*Rhodiola roseaL.*
Goldenrod	herb	*Solidago virgaureaL.*
Ground ivy	leaves	*Glechoma hederaceaL.*
Guarana	seeds	*Paullinia cupanaH.B.K.*
Gymnema	leaves	*Gymnema sylvestre (Retz.)R. Br.*
Hawthorn	flowers	*Crataegusspec.*
Hawthorn	fruits	*Crataegusspec.*
Hawthorn	leaves	*Crataegusspec.*
Heartsease	herb	*Viola tricolorL.*
Hemp	leaves	*Cannabis sativa L. (except Cannabis sativa subsp. indica)*
Herb bennet	herb	*Geum urbanum L.*
Herb bennet	roots	*Geum urbanum L.*
Herb of grace / Rue	herb	*Ruta graveolens L.*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Hibiscus	flowers [calyxes]	*Hibiscus sabdariffa* L.
Hibiscus	seeds	*Hibiscus sabdariffa* L.
Hollyhock	flowers	*Alcea roseaL. /Althaea rosea (L.) Cav.*
Holy thistle	herb	*Cnicus Benedictus L.*
Hop	flowers	*Humulus lupulus L.*
Horehound	herb	*Marrubium vulgare L.*
Horse-Chestnut	bark	*Aesculus hippocastanum L.*
Horse-Chestnut	flowers	*Aesculus hippocastanum L.*
Horse-Chestnut	leaves	*Aesculus hippocastanum L.*
Horse-Chestnut	seeds	*Aesculus hippocastanum L.*
Hyssop	herb	*Hyssopus officinalis L.*
Iceland moss	thallus	*Cetraria islandica (L.) Ach.*
Juniper	shoots	*Juniperus communis L.*
Juniper	wood	*Juniperus communis L.*
Knotgrass	herb	*Polygonum aviculare L.*
Ladies mantle	herb	*Alchemilla vulgaris L.*
Lapacho	bark	*Handroanthus impetiginosus (Mart. ex DC.) Mattos /Tabebuia impetiginosa (Mart. ex DC.) Standl.*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Larkspur	flowers	*Consolida regalisGray /Delphinium consolidaL.*
Lemon myrtle	leaves	*Backhousia citriodora F. Muell.*
Lignum vitae	wood	*Guajacum officinale L.*
Liquorice	roots	*Glycyrrhiza glabra* L.
Lovage	fruits	*Levisticum officinale* W. Koch
Lovage	roots	*Levisticum officinale* W. Koch
Mallow	flowers	*Malva sylvestris L.*
Mallow	leaves	*Malva sylvestris L.*
Manna ash	resin	*Fraxinus ornus L.*
Marjoram	fruits	*Origanum majorana* L.
Marshmallow	leaves	*Althaea officinalisL.*
Marshmallow	roots	*Althaea officinalis L.*
Meadowsweet	flowers	*Filipendula ulmaria (L.) Maxim.*
Meadowsweet	herb	*Filipendula ulmaria (L.) Maxim.*
Mexican Valerian	roots	*Valeriana edulis subsp.procera (Kunth) F.G. Mey. /Valeriana proceraKunth*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Mistletoe	herb	*Viscum albumL.*
Morello cherry	stems	*Cerasus vulgarisMill. /Prunus cerasusL.*
Mugwort	herb	*Artemisia vulgarisL.*
Mullein	flowers	*Verbascumspec.*
Mullein	leaves	*Verbascumspec.*
Nettle	roots	*Urticaspec.*
Norway spruce	leaves	*Picea abies (L.) H. Karst.*
Parsley	roots	*Petroselinum crispum (Mill.)* Nym.
Parsley	fruits	*Petroselinum crispum (Mill.)* Nym.
Passion flower	herb	*Passiflora incarnataL.*
Pennyroyal	herb	*Mentha pulegiumL.*
Peony	flowers	*Paeonia officinalisL.*
Plantain	herb	*Plantago majorL.*
Purging cassia	fruits	*Cassia fistulaL.*
Quassia	wood	*Quassia amaraL.*
Raspberry	leaves	*Rubus idaeus L.*
Red clover	herb	*Trifolium pratenseL.*
Red clover	flowers	*Trifolium pratenseL.*
Red sandalwood	wood	*Pterocarpus santalinusL.f.*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Rhatany	roots	*Krameria lappacea (Dombey) Burdet & B. B. Simpson /Kameria triandraRuiz & Pav.*
Ribwort plantain	herb	*Plantago lanceolataL.*
Rock rose	herb	*Cistus incanusL. /Cistus creticusL. /Cistus villosusauct.*
Roman camomile	flowers	*Chamaemelum nobile (L.) All. /Anthemis nobilisL.*
Rowan	fruits	*Sorbus aucupariaL.*
Sacred lotus	flowers	*Nelumbo nuciferaGaertn.*
Safflower	flowers	*Carthamus tinctoriusL.*
Sarsaparilla	roots	*Smilaxspec.*
Schisandra	fruits	*Schisandra chinensis (Turcz.) Baill.*
Seneca snakeroot	roots	*Polygala senegaL.*
Shepherd's purse	herb	*Capsella bursa-pastoris (L.) Medik.*
Siberian ginseng	roots	*Eleutherococcus senticosus (Rupr. & Maxim.) Maxim. /*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
		Acanthopanax senticosus (Rupr. & Maxim.) Harms
Silverweed	herb	*Potentilla anserinaL.*
Soap-bark tree	bark	*Quillaja saponariaMolina*
Southernwood	herb	*Artemisia abrotanumL.*
Spirulina	algae	*Spirulina platensis (Nordst.) Geitler*
St. John´s Wort	flowers3	*Hypericum perforatumL.*
St. John´s Wort	herb3	*Hypericum perforatumL.*
Sweet cherry	stems	*Cerasus avium (L.) Moench/Prunus avium (L.) L.*
Sweet orange	leaves	*Citrus sinensis (L.) Osbeck*
Sweet violet	flowers	*Viola odorata* L.
Sweet woodruff	herb	*Galium odoratum (L.) Scop/Asperula odorataL.*
Tea tree	leaves	*Melaleuca alternifolia (Maiden & Betche) Cheel*
Toadflax	herb	*Linaria vulgarisMill.*
Tonka bean	seeds	*Dipteryx odorata (Aubl.) Willd.*
Tormentil	roots	*Potentilla erecta (L.) Raeusch.*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Valerian	roots	*Valeriana officinalisL.*
Walnut	leaves	*Juglans regiaL.*
White deadnettle	flowers	*Lamium albumL.*
White deadnettle	herb	*Lamium albumL.*
White mulberry	leaves	*Morus alba L.*
Wild angelica	fruits	*Angelica sylvestrisL.*
Wild angelica	herb	*Angelica sylvestrisL.*
Wild angelica	roots	*Angelica sylvestrisL.*
Wild strawberry	fruits	*Fragaria vescaL.*
Wild strawberry	leaves	*Fragaria vescaL.*
Willow herb	herb	*Epilobium angustifoliumL. /Chamaenerium angustifolium (L.) Scop.*
Witch hazel	bark	*Hamamelis virginianaL.*
Witch hazel	leaves	*Hamamelis virginianaL.*
Wood betony	herb	*Stachys officinalis (L.) Trev./Betonica officinalisL.*
Yarrow	flowers	*Achillea millefolium L.*
Yarrow	herb	*Achillea millefolium L.*
Yellow bedstraw	herb	*Galium verumL.*
Yellow gentian	roots	*Gentiana luteaL.*
Yellow sweet clover	herb	*Melilotus officinalis (L.) Pall.*

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Herbs that may considered not to be ordinarily consumed as food where: a) the only reason for its consumption would be a medicinal purpose; or b) particular safety concerns are had pertaining to its consumption and requires professional oversight.		
English		**Latin**
Name of the plant	**Plant part used**	**Name of the plant**
Zedoary	roots	*Curcuma zedoaria (Bergius) Rosc.*

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ANNEXURE 8

SOUTH AFRICAN NUTRIENT PROFILING MODEL: SCREENING CRITERIA FOR THE PURPOSE OF WHETHER A FOOD IS ELIGBLE TO MAKE A HEALTH OR NUTRITION CLAIM

NUTRIENT PROFILING SCORING CRITERION

The Electronic Nutrient Profiling Calculator is available on the website of the Department of Health: www.health.gov.za

Table 1: Categories of food

	Column 1	**Column 2**
Category	**NPSC category**	**The nutrient profiling score must be less than**
1	Beverages	1
2	Any food other than those included in Category 1 or 3.	4
3	(a) cheese and processed cheese with calcium content >320 mg/100 g)*; (b) edible oil; (c) edible oil spreads; (d) margarine; and (e) butter. *All other cheeses (with calcium content ≤320 mg/100 g) are classified as a category 2 food product.	28

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Nutrient profiling scoring method

Item 1: Steps in determining a nutrient profiling score

1.1 For a food in Category 1 in Table 1, calculate the food's –

1.1.1 baseline points in accordance with item 2 (below); then

1.1.2 fruit and vegetable points in accordance with item 4 (below) (**V points**); then

1.1.3 protein points in accordance with item 5 (below) (**P points)**; then

1.1.4 final score in accordance with item 7 (below) (**the nutrient profile score**).

Note:
Category 1 foods do not score fibre (F) points.

1.2 For a food in Category 2 in Table 1, calculate the food's –

1.2.1 baseline points in accordance with item 2 (below); then

1.2.2 fruit and vegetable points in accordance with item 4 (below) (**V points**); then

1.2.3 protein points in accordance with item 5 (below) (**P points**); then

1.2.4 fibre points in accordance with item 6 (below) (**F points**); then

1.2.5 final score in accordance with item 7 (below) (**the nutrient profile score**).

1.3 For a food in Category 3 in Table 1, calculate the food's –

1.3.1 baseline points in accordance with item 3 (below); then

1.3.2 fruit and vegetable points in accordance with item 4 (below) (**V points**); then

1.3.3 protein points in accordance with item 5 (below) (**P points**); then

1.3.4 fibre points in accordance with item 6 (below) (**F points**); then

1.3.5 final score in accordance with item 7 (below) (**the nutrient profile score**).

Item 2: Baseline points for Category 1 or 2 foods

2.1 Use the information in Table 2 and the formula in item 2.2 to work out the baseline points (up to 10 for each nutrient), for the content of each nutrient in 100 g of the food product.

Table 2: Baseline Points for Category 1 or 2 Foods

Baseline points	Average energy content (kJ) per 100 g	Average saturated fatty acids (g) per 100 g	Average total sugars (g) per 100 g	Average sodium (mg) per 100 g
0	≤335	≤1.0	≤5.0	≤90
1	>335	>1.0	>5.0	>90
2	>670	>2.0	>9.0	>180
3	>1005	>3.0	>13.5	>270
4	>1340	>4.0	>18.0	>360
5	>1675	>5.0	>22.5	>450
6	>2010	>6.0	>27.0	>540
7	>2345	>7.0	>31.0	>630
8	>2680	>8.0	>36.0	>720
9	>3015	>9.0	>40.0	>810
10	>3350	>10.0	>45.0	>900

2.2 Calculate the baseline points using the following formula –

Total baseline points = (points for average energy content) + (points for saturated fatty acids) + (points for total sugars) + (points for sodium)

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Item 3: Baseline points for Category 3 foods

3.1 Use the information in Table 3 and the formula in item 3.2 to work out the baseline points (up to 10 for each nutrient), for the content of each nutrient in 100 g of the food product.

TABLE 3: BASELINE POINTS FOR CATEGORY 3 FOODS

Points	**Average energy content (kJ) per 100 g**	**Average saturated fatty acids (g) per 100 g**	**Average total sugars (g) per 100 g**	**Average sodium (mg) per 100 g**
0	≤ 335	≤1.0	≤ 5.0	≤ 90
1	>335	>1.0	>5.0	>90
2	>670	>2.0	>9.0	>180
3	>1005	>3.0	>13.5	>270
4	>1340	>4.0	>18.0	>360
5	>1675	>5.0	>22.5	>450
6	>2010	>6.0	>27.0	>540
7	>2345	>7.0	>31.0	>630
8	>2680	>8.0	>36.0	>720
9	>3015	>9.0	>40.0	>810
10	>3350	>10.0	>45.0	>900
11	>3685	>11.0		>990
12		>12.0		>1080
13		>13.0		>1170
14		>14.0		>1260
15		>15.0		>1350
16		>16.0		>1440
17		>17.0		>1530
18		>18		>1620

Points	Average energy content (kJ) per 100 g	Average saturated fatty acids (g) per 100 g	Average total sugars (g) per 100 g	Average sodium (mg) per 100 g
19		>19.0		>1710
20		>20.0		>1800
21		>21.0		>1890
22		>22.0		>1980
23		>23.0		>2070
24		>24.0		>2160

3.2 Calculate the baseline points using the following formula –

Total baseline points = (points for average energy content) + (points for saturated fatty acids) + (points for total sugars) + (points for sodium)

Item 4: Fruit and vegetable points (V points)

4.1 V points ***can*** be scored for fruits, vegetables, nuts and legumes including coconut, spices, herbs, fungi, seeds and algae (**fvnl**) including –

4.1.1 fvnl that are fresh, cooked, frozen, tinned, pickled, or preserved; and

4.1.2 fvnl that have been peeled, diced, or cut (or otherwise reduced in size), puréed or dried;

and

4.2 V points ***cannot*** be scored for –

4.2.1 a constituent, extract or isolate of a food

4.2.2 cereal and pseudo grains

Note:

An example of a constituent, extract or isolate under paragraph 4(2)(a) is peanut oil derived from peanuts or groundnuts. In this example, peanut oil would not be able to score V points. Other examples of extracts or isolates are fruit pectin, oat bran, wheat bran, de-ionised fruit juice et cetera. For the purposes of this Table, "**peanuts**"

mean the kernels of the underground fruit of the plant *Arachis hypogaea* of the species/legume family *Fabaceae* and **"groundnuts"** have a similar meaning.

4.3 Despite item 4.2, V points may be scored for –

4.3.1 fruit juice or vegetable juice as including concentrated juices and purees;

4.3.2 coconut flesh (which is to be scored as a nut), whether juiced, dried, or desiccated, but not processed coconut products such as coconut milk, coconut cream or coconut oil; and

4.3.3 the water in the centre of the coconut.

4.4 Calculate the percentage of fvnl in the food and not the form of the food determined in accordance with item 4.6 (below).

Note:
The effect of item 4.4 is to make it a requirement to determine the percentage of fvnl. For this item only, it is not necessary to consider the form of the food determined by item 4.6 (below).

4.5 Use Column 1 of Table 4 if the fruit or vegetables in the food product are all concentrated (including dried).

Note:
For example, if dried fruit and tomato paste are the components of the food product for which V points can be scored, column 1 should be used.

4.6 Use Column 2 of Table 3 if –

4.6.1 there are no concentrated (or dried) fruit or vegetables in the food product; or

4.6.2 the percentages of all concentrated ingredients are calculated based on the ingredient when reconstituted; or

4.6.3 the food product contains a mixture of *a mixture of concentrated fruit or vegetables and non-concentrated* fvnl sources (after following the formula mentioned in item 4.8; or

4.6.4 the food product is potato crisps or a similar low moisture vegetable product.

4.7 Work out the V points (to a maximum of 8) in accordance with Table 4.

TABLE 4:V POINTS

	Column 1	**Column 2**
Points	**% concentrated fruit or vegetable**	**% fvnl**
0	<25	≤40
1	≥25	>40
2	≥43	>60
5	≥67	>80
8	=100	=100

4.8 If the food product contains a mixture of concentrated fruit and vegetables and non-concentrated fvnl sources, the percentage of total fvnl must be worked out as follows

(% non-concentrated fvnl) + (2 x % concentrated fruits or vegetables) X

100

(%non-concfvnl) + (2 x % conc fruits or vegetables) + (% non fvnl ingredient)

1

JWhere –

% non-concentrated fvnl/concentrated fruit or vegetables means the percentage of fvnl in the food.

Fvnl has the meaning given by item 4.1.

4.9 For the formula in item 4.8, potato crisps and similar low moisture vegetables products are taken to be non-concentrated.

Item 5: Protein points (P points)

5.1 Use Table 5 to determine the 'P points' scored, depending on the amount of protein in the food product. A maximum of five points can be awarded.

5.2 Food products that score ≥ 13 baseline points are not permitted to score points for protein unless they score five or more points for fvnl.

TABLE 5: P POINTS

Points	Protein (g) per 100 g
0	≤1.6
1	>1.6
2	≥3.2
3	>4.8
4	>6.4
5	>8.0

Item 6: Fibre points (F points)

6.1 Use Table 6 to determine the 'F points' scored, depending on the amount of dietary fibre in the food product. A maximum of five points can be awarded.

6.2 The prescribed method of analysis to determine total dietary fibre is outlined in these Regulations.

6.3 Category 1 foods do not score F points.

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Table 6: F POINTS

Points	Dietary fibre (g) per 100 g
0	≤0.9
1	>0.9
2	>1.9
3	>2.8
4	>3.7
5	>4.7

Item 7: Calculating the final score

Calculate the final score using the following formula –

Final score = Baseline points – (V points) – (P points)

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ANNEXURE 9

ILLUSTRATIVE LIST OF FOODS THAT NEED ONLY A "DATE OF MANUFACTURE" OR A "DATE OF PACKAGING", AS APPROPRIATE AND FOOD SAFETY IS NOT COMPROMISED IN ANY WAY

- Acetic acid (excluding any fermented kind of vinegars);
- Any alcoholic beverage as described in the Liquor Products Act, 1989 (Act No. 60 of 1989);
- Bakers' or pastry-cooks' wares (ready-to-eat flour confectionary), given the nature of their content, are normally consumed within 48 hours of their manufacture: provided that the date of manufacture is indicated on the scale label or in the direct vicinity where the products are displayed;
- Biltong and dried sausage which have not been pre-packed;
- Chewing gum;
- Confectionery products consisting of flavoured and/or coloured sugars;
- Fresh fruits and vegetables, including tubers, which have not been peeled, cut or similarly treated;
- Honey except for the date the honey was pre-packed;
- Non-iodized food grade salt;
- Non-fortified solid sugars;
- Unprocessed, unpacked fish, unprocessed, unpacked meat and unprocessed, unpacked poultry which have not been pre-packed;
- Wines, liqueur wines, sparkling wines, aromatized wines, fruit wines and sparkling fruit wines.

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ANNEXURE 10

FRONT OF PACK NUTRITION LABELLING (FOPL) LOGOS

1) Elements of FOPL

a) Foodstuffs which exceed the nutrient cut-off values of the NPM are required to carry a FOPL in terms of regulation 51(1) shall carry a label complying with the specifications outlined in this annexure.

b) The FOPL must be clearly visible and, insofar as possible, be integrated into the packaging. The FOPL may not be partially or completely covered by any other element. It is also possible to use indelible adhesives on the label, provided that they meet the requirements of characteristics, size, and location established in this Annexure.

c) The form of the FOPL shall appear as detailed in figure 1.1.

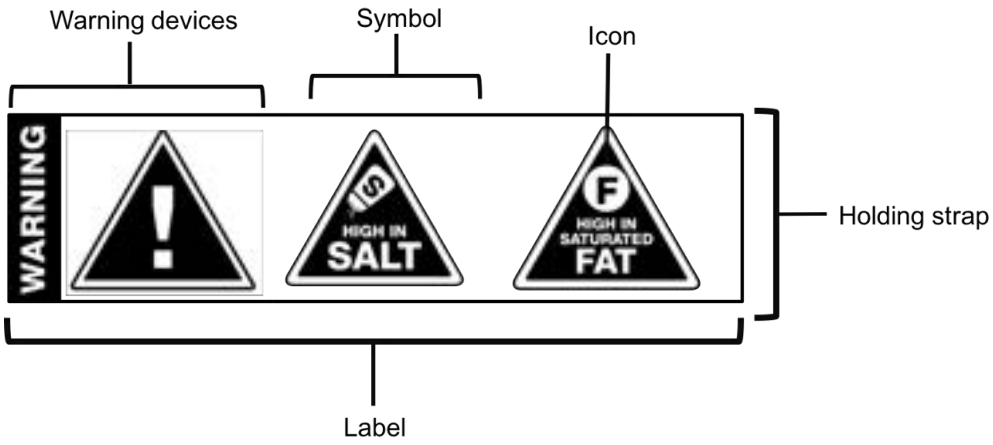

Figure 1.1

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d) The FOPL shall consist of a black-bordered white holding strap containing black triangle symbols with white text. The word “WARNING” shall appear on the left side of the holding strap as detailed in Figure 1.2.

Figure 1.2

2) **Symbols**

a) The FOPL shall include symbols for any nutrient of concern exceeding the nutrient cut-offs specified by the NPM criteria and reflect the symbol correlating with each nutrient that is in excess, as detailed below:

i) Figure 2.1 must appear on any foodstuffs that exceed the threshold set for total sugar.

ii) Figure 2.2 must appear on any foodstuffs that exceed the threshold set for total saturated fat.

iii) Figure 2.3 must appear on any foodstuffs that exceed the threshold set for total sodium.

iv) Figure 2.4 must appear on any foodstuffs that contain artificial sweetener.

Figure 2.1

Figure 2.2

Figure 2.3

Figure 2.4

b) Each FOPL shall carry an '" exclamation mark triangle" as detailed in figure 2.5 which will serve as the anchor logo.

3) Size of the Logos

Figure 2.5

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a) The FOPL shall be placed on the top right-hand side of the front of the package.

b) The front of the package shall be calculated utilising the formulas for calculating the principal display panel outlined in table 3.1

Table 3.1: Formulas for calculation of principal display panel	
Rectangle	Height x width of largest side
Cylindrical shape	40% of height x circumference
Special cylindrical shape	40% of height x circumference OR area of the lid (whichever is greatest)
Tapered tube	40% of the height x average of the top and bottom circumference
Other shapes	40% of total surface

c) Irrespective of the size of the package, the FOPL shall not have a height smaller than 1.5 cm.

d) The FOPL shall be placed at the top right-hand corner of the front-of-pack and shall not be obscured, distorted.

e) The FOPL shall cover no less than the prescribed percentage of the front of package as follows:
   i) An FOPL bearing one symbol with the warning triangle shall take up no less than 10% of the front of the package.
   ii) An FOPL bearing two symbols with the warning triangle shall take up no less than 15% of the front of the package.
   iii) An FOPL bearing three symbols with the warning triangle shall take up no less than 20% of the front of the package.
   iv) The FOPL bearing four symbols shall cover no less than 25% of the front of the package.

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4) Presentation of logos

a) The exclamation triangle (figure 2.5) must appear on the left side of the holding strap. Additional logos must appear next to the exclamation triangle from left to right as detailed below. The order of additional logos is not prescribed. Figures below demonstrate the configurations for two, three and four logos.

b) Manufacturers may use an alternative configuration of the FOPL should the package not allow for the horizontal line. Manufacturers may opt for a vertical configuration on the right-hand side of the front-of-pack configured, as shown in Figure 4.1. Alternatively, a manufacturer may utilise the clustered configuration, as shown in Figure 4.1.

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Figure 4.1

Figure 4.2

Proportions of the Logos

a) The FOPL shall follow the proportions outlined in figures 5.1 to 5.3 as detailed below.

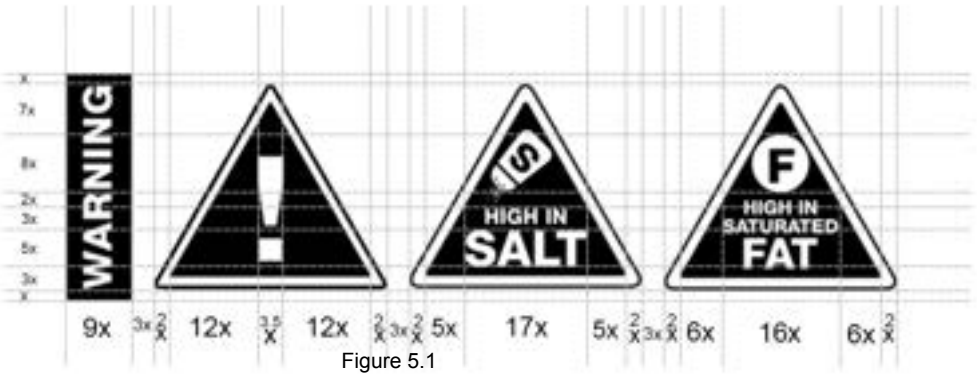

Figure 5.1

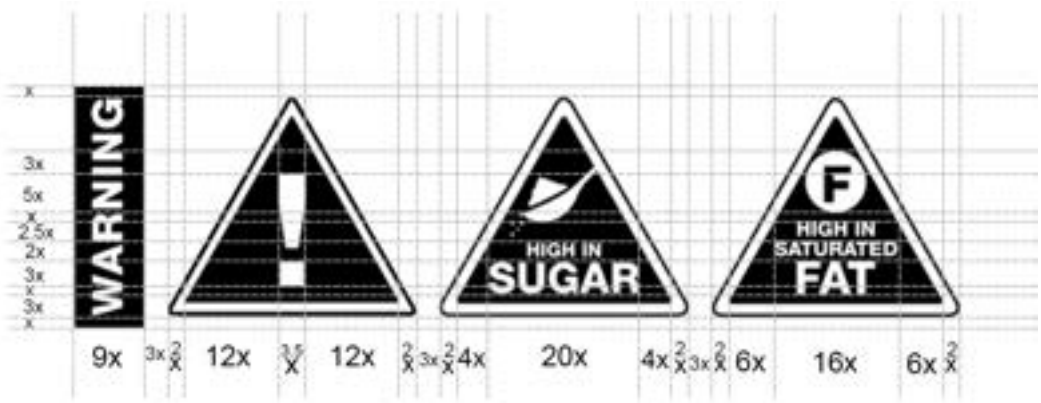

Figure 5.2

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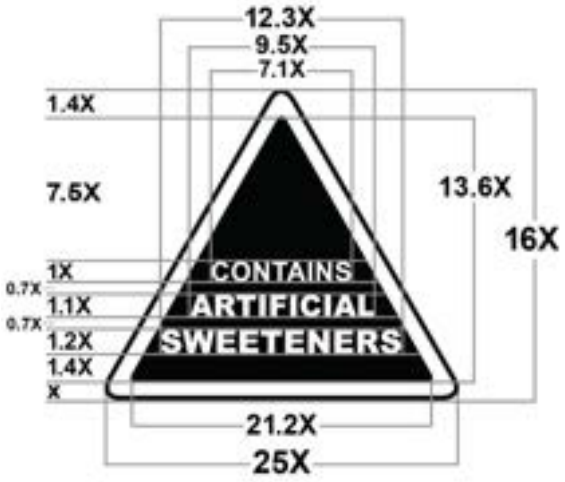

Figure 5.3

a) The alternative vertical or clustered configurations of the FOPL shall follow the proportions as outlined in Figures 5.4 and 5.5.

Figure 5.4

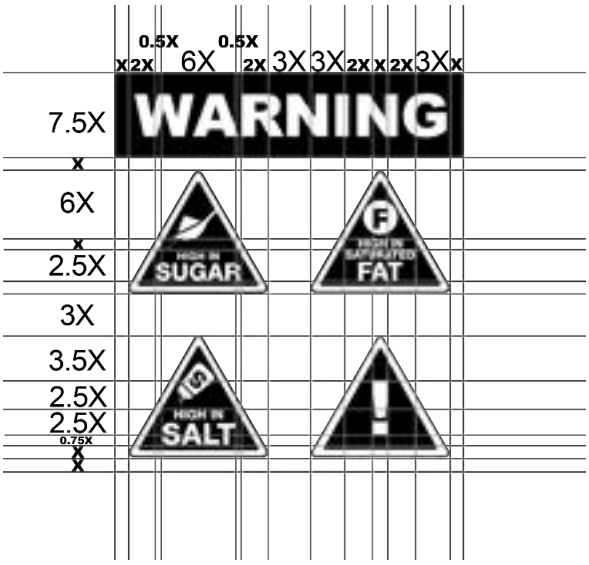

Figure 5.5

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Colour

a) The FOPL shall consist of black warning devices and symbols on a white holding strap with white text with the following colour composition for elements indicated in black:

C	M	Y	K
0	0	0	100

Example colour:

5) Typography

a) The font used in the iconography is the "Arial Black" family, specifically its "bold" presentation. An example of typography is detailed in Figure 6.1

ABCDEFGHIJKLMNO
PQRSTUVWXYZ

Figure 6.1

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High Quality Graphics of the Logos

Below are higher resolution versions of the symbols and devices for use in the FOPL

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