

**Voluntary Report** – Voluntary - Public Distribution

**Date:** March 07, 2023

**Report Number:** SF2023-0007

**Report Name:** Proposed Amendments to Food Labeling and Advertising Regulations

**Country:** South Africa - Republic of

**Post:** Pretoria

**Report Category:** FAIRS Subject Report

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**Report Highlights:**

On January 31, 2023, the South African Ministry of Health issued a Government Notice (R 2986) inviting comments on the draft regulation relating to the labeling and advertising of foods. Draft regulations specify mandatory warning labels, guidelines, requirements and restrictions on food packaging, ingredients, allergens and health claims among others. The deadline for the submission of comments on the proposed regulation is April 30, although the Ministry informed Post that the United States will also be able to submit comments through the World Trade Organization Enquiry Point as they intend to notify the measure.

## Background

On January 31, 2023, the South African Ministry of Health published draft regulations relating to the labeling and advertising of foodstuffs, R.2986. The proposed changes reinforce some of the provisions already in the current regulation (R.429) and includes some new elements, including restricted health claims and label specifications. In a stated effort to provide consumers with information to make healthy food choices, the Ministry plans on adopting new Front-of-Pack-Labeling (FOPL) requirements, which includes specifications regarding the size, design and placement of the FOPL on products.

## Proposed Changes

The Ministry proposes mandatory black and white warning labeling on pre-packed foodstuff containing added saturated fat, added sugar, added sodium which exceed nutrient cut-offs. Similar labelling is proposed for foodstuffs containing artificial sweeteners.

*Table 1: Nutrient cut-off values*

	<b>Total sugar</b>	<b>Total saturated fatty acid</b>	<b>Total Sodium</b>
<b>Solids</b>	>10g per 100g	>4.0g per 100g	>400mg per 100g
<b>Liquids</b>	>5.0g per 100ml	>3.0g per 100ml	>100mg per 100ml

The proposed regulation also places restriction on mechanically deboned meat; if the final product contains meat less than 25%, then the word meat cannot be used to describe the food item. Product description such as “smart” food, “intelligent” food, “superfoods” are prohibited from labelling.

On February 23, 2023, Post met with the Ministry of Health’s Food Control Directorate which is responsible for drafting and administering these regulations under the [Foodstuffs, Cosmetics and Disinfectant Act, 1992 \(Act no. 54 of 1972\)](#). The Directorate indicated that it plans to notify the draft regulation to the World Trade Organization. The Directorate welcomed comments from USDA. The proposed regulation is open for public comment until April 30, 2023.

**Attachments:**

[Food-labelling.pdf](#)