

Voluntary Report – Voluntary - Public Distribution

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Report Name: Ghana FDA Rolls Out Draft Guidelines for the Advertisement of Regulated Products - When Will It Notify the WTO

Country: Ghana

Post: Accra

Report Category: FAIRS Subject Report

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Report Highlights:

On February 5, 2025, the Ghana Food and Drug Authority (Ghana FDA) issued public notice FDA/DRI/DMS/GL-ADV/2023/01. The notification is intended to inform stakeholders and the public that new Draft Guidelines on the Advertisement of Regulated Products have been developed. These guidelines provide an update on the Ghana FDA's Guidelines for Advertisement of Food and aim to ensure that advertisements for regulated products comply with established standards, promote public health, and provide accurate and non-misleading information to consumers. The Ghana FDA invited comments and suggestions for improvement on the draft guidelines through February 26, 2025.

DISCLAIMER: The information contained in this report was retrieved from the Ghana Food and Drug Authority (Ghana FDA) website <http://www.fdaghana.gov.gh/>. The Foreign Agricultural Service (FAS) Office of Agricultural Affairs at the U.S. Embassy in Accra, USDA, and/or the U.S. government make no claim of accuracy or authenticity. The Government of Ghana has not officially endorsed this report. Import approval for any product is subject to local rules and regulations as interpreted by Ghanaian officials at the time of product entry. [Note: Use Google Chrome to access those links that do not open in Microsoft Edge].

GENERAL INFORMATION

On February 5, 2025, the Ghana Food and Drug Authority (Ghana FDA) issued a public notice on the [Draft Guidelines for the Advertisement of Regulated Products](#).¹ The Ghana FDA on its notification webpage provides a download link for its [Draft Guidelines for the Advertisement of Regulated Products – FDA/DRI/DMS/GL-ADV/2023/01](#).² (See, attachment I).

Through this measure the Ghana FDA is informing its stakeholders and the public that new Draft Guidelines on the Advertisement of Regulated Products have been developed. The Ghana FDA states that these guidelines aim to ensure that advertisements for regulated products comply with established standards, promote public health, and provide accurate and non-misleading information to consumers.

BACKGROUND

The Draft Guidelines for the Advertisement of Regulated Products – FDA/DRI/DMS/GL-ADV/2023/01 (notified on February 5, 2025), aim to update and consolidate prior Ghana FDA guidelines on advertisements. In particular, the [Guidelines for the Advertisement of Foods – FDA/FID/GL-AD/2016/01](#) (February 1, 2016).³ (See, attachment II). In addition to the [Guidelines for the Advertisement of Drugs, Medical Devices, Cosmetics and Household Chemicals – FDA/DRI/DMS/GL-ADV/2013/02](#) (March 15, 2019).⁴ (See, attachment III).

These draft guidelines seek to ensure that regulated products' advertisement comply with 1) established standards; 2) promote public health; and 3) provide accurate and non-misleading information to consumers. The guidelines clarify procedures and requirements for submission and consideration of applications for the advertisement of various food products and other regulated products. These are applicable to Ghana's food products and other regulated products either domestically manufactured,

¹ Ghana Food and Drug Authority (FDA), Public Notices, "Draft Guidelines for the Advertisement of Regulated Products," (February 5, 2025), located at: <https://fdaghana.gov.gh/draft-guidelines-for-the-advertisement-of-regulated-products/>.

² Ibid, "Draft Guidelines for the Advertisement of Regulated Products – FDA/DRI/DMS/GL-ADV/2023/01," located at: <https://fdaghana.gov.gh/wp-content/uploads/2025/02/GUIDELINES-FOR-ADVERTISEMENT-OF-REGULATED-PRODUCTS-Final.pdf>.

³ Ibid, "Guidelines for the Advertisement of Foods – FDA/FID?GL-AD/2016/01," (February 1, 2016), located at: <https://fdaghana.gov.gh/guidelines-for-the-advertisement-of-foods/>.

⁴ Ibid, "Guidelines for the Advertisement of Drugs, Medical Devices, Cosmetics and Household Chemicals – FDA/DRI/DMS/GL-ADV/2013/02," (March 2019), located at: <https://fdaghana.gov.gh/guidelines-for-advertisement-of-drugs-medical-devices-cosmetics-and-household-chemicals-new/>.

prepared, and or imported. The Ghana FDA invited public comments on the Draft Guidelines for the Advertisement of Regulated Products – FDA/DRI/DMS/GL-ADV/2023/01, until February 26, 2025.

CHANGES AND ADDITIONS IN THE NEW GUIDELINES – SO, WHAT DOES IT MEAN?

The Draft Guidelines for the Advertisement of Regulated Products – FDA/DRI/DMS/GL-ADV/2023/01 (notified on February 5, 2025), introduce prohibitions, warnings, and restrictions.

Prohibition of Live Presenter Mentions (LPMs): Unlike previous guidelines that allowed LPMs with approved scripts, the draft update prohibits LPMs entirely. This change may adversely impact marketing strategies that rely on live endorsements.

Detailed Specifications for Health Warnings: The draft update provides more detailed specifications for the placement and format of health warnings in alcoholic beverage advertisements. Health warnings must be placed at the bottom of the advertisement and must not be less than 30 percent of the biggest font size used in the advertisement. They must run as crawls for television and social media advertisements and should be clear, audible, and well-paced when read on television and radio media.

Restrictions on Targeting Specific Audiences: The draft update emphasizes that advertisements must not target minors or be placed in media targeted specifically at such persons. Children’s songs, cartoon characters, and animations must not be used in alcoholic or sweet beverage advertisements, and such advertisements must not run during the airing of movies with family-friendly ratings.

Prohibition on Highlighting Nutritive Benefits: The draft update explicitly states that advertisements for alcoholic beverages must not highlight the nutritive benefits of the product.

SPECIFIC REQUIREMENTS – FOOD, DESIGNATED PRODUCTS, ALCOHOLIC BEVERAGES, AND ENERGY DRINKS

The Draft Guidelines for the Advertisement of Regulated Products – FDA/DRI/DMS/GL-ADV/2023/01 (notified on February 5, 2025), provide a series of specific requirements to be met for food, that is, for designated products, alcoholic beverages, and energy drinks.

Specific Requirements for Food, Designated Products: The guidelines prohibit advertising food products as preventive, treatment, or cure for diseases. For food, designated products, including sweet beverages, must not be advertised with energy-dense, nutrient-poor food products, and food service establishments must not promote food together with sweet beverages. All claims must be complete, truthful, not misleading, and substantiated, in accordance with the World Health Organization (WHO) and the Codex General Guidelines on Claims.

Specific Requirements for Alcoholic Beverages: The guidelines require health warnings such as “Drink Responsibly,” “Not for sale to persons under 18 years of age,” and “Not recommended for pregnant women and lactating mothers.” Advertisements must not promote excessive consumption or associate alcohol with social or professional success. They must not target minors or be placed in media

targeted specifically at such persons. Additionally, advertisements must not highlight the nutritive benefits of alcoholic beverages.

Specific Requirements for Energy Drinks: Energy drink advertisements must include health warnings such as “Excessive drinking can be detrimental to health” and “Not Recommended for persons under 18 years, Lactating Mothers, Pregnant Women, and People Sensitive to Caffeine.” Advertisements must not contain statements or illustrations that have the potential to lead to abuse or excessive consumption of the product. Energy drinks must not be advertised as a substitute for rest, remedy for fatigue, sexual non-performance, or any other physical non-performance.

SUMMARY OF KEY GUIDELINES

The Ghana FDA is proposing new guidelines for the advertisement of regulated products, specifically agricultural-related products such as food, beverages, and infant formula. The draft guidelines update emphasizes that no advertisement should be made unless the product is registered with the Ghana FDA. Advertisements must be accurate, complete, clear, and not misleading. They should not disparage other products or companies, and all claims must be substantiated and in accordance with scientific knowledge. Advertisements must not exploit superstitious beliefs or induce fear. Live Presenter Mentions are not permitted, and advertisements must not target pregnant or lactating women or persons with certain disease conditions.

FAS ACCRA – POST COMMENTARY

FAS Accra is reviewing the Draft Guidelines for the Advertisement of Regulated Products – FDA/DRI/DMS/GL-ADV/2023/01 (February 5, 2025) potential impact on the trade in the broader categories of consumer-oriented products. Post is assessing what the Draft Guidelines for the Advertisement of Regulated Products will mean for local domestic Ghanaian food and beverage manufacturers and importers in terms of compliance requirements.

Post is watching for Ghana to notify its proposed measures to the World Trade Organization (WTO) Secretariat under the terms of the Technical Barriers to Trade (TBT) Agreement, with a corresponding comment period of at least 60-days. FAS Accra is monitoring the proposed draft regulation and will provide updates accordingly (See, [GAIN-GHANA | GH2024-0010 | Exporter Guide Annual-2024](#) and [GAIN-GHANA | GH2024-0007 | FAIRS Country Report Annual-2024](#)).⁵

⁵ See, USDA/FAS Accra, GAIN-GHANA | GH2024-0010 | Exporter Guide Annual-2024, located at: https://apps.fas.usda.gov/newgainapi/api/Report/DownloadReportByFileName?fileName=Exporter%20Guide%20Annual_Accra_Ghana_GH2024-0010 and GAIN-GHANA | GH2024-0007 | FAIRS Country Report Annual-2024, located at: https://apps.fas.usda.gov/newgainapi/api/Report/DownloadReportByFileName?fileName=FAIRS%20Country%20Report%20Annual_Accra_Ghana_GH2024-0007.

Notification Details:

Notification: Draft Guidelines for the Advertisement of Regulated Products – **FDA/DRI/DMS/GL-ADV/2023/01**

Publication Date: February 5, 2025

Date of Implementation: To Be Determined

Products Affected: Medicines/drugs; Over-the-Counter (OTC) medicines, Pharmacist Initiated and Prescription-Only-Medicines (POM); Food, Designated Products including sweet beverage drinks, alcoholic beverages, energy drinks.

Agency: Ghana Food and Drug Authority (Ghana FDA)

Attachments:

[GHANA FDA -GUIDELINES-FOR-ADVERTISEMENT-OF-REGULATED-PRODUCTS \(20250205\).pdf](#)

[GHANA FDA - GUIDELINES-FOR-THE-ADVERTISEMENT-OF-FOODS \(20160201\).pdf](#)

[GHANA FDA - GUIDE-ADVERT-DRUGS-MED-DEVICES-COSMETICS-HOUSEHOLD-CHEMS \(20190315\).pdf](#)