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AIDS HELPLINE: 0800-0123-22 Prevention is the cure

CONTENTS • INHOUD

GOVERNMENT NOTICE

DEPARTMENT OF HEALTH

No. R. 429 **29 May 2014**

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

REGULATIONS RELATING TO THE LABELLING AND ADVERTISING OF FOODS: AMENDMENT

The Minister of Health intends, under section 15 (1) of the Foods, Cosmetics and Disinfectants Act, 1972 (Act No.54 of 1972), to make 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), within 3 months from the date of publication of this notice.

SCHEDULE

TABLE OF CONTENTS

26	Compound ingredients
27	Added water
28	Added caffeine
29	Fats and oils
30	Bulk stock
31	Small packages
32	Storage instructions
33	Food vending machines
34	Pictorial representation
35	Labelling of food additives sold as such
36– 43	Indication of food additives on labels
44– 47	Allergens and related matters
48	Misleading descriptions
49	Irradiation
50	Statements related to frozen products
51	Vegetarian claims
52	Nutritional information and related matters
53 – 63	**ENERGY, NUTRITION, INGREDIENT CONTENT AND HEALTH CLAIMS**
53	General information, conditions and other related matters
54 - 55	**NUTRITION CLAIMS**
54	Energy, nutrient content, ingredient content claims and other related matters
55	Comparative claims
56 -63	**HEALTH CLAIMS**
56	Glycaemic Index and Glycaemic Load claims
57	Function claims
58	Reduction of disease risk claims
59	Health claims related to the whole-grain concept
60	Approved health claims for oral health
61	Approved health claims for physical performance
62	Claims for slimming and weight management/control
63	Claims related to detoxification
64	Exemptions
65	Foods and non-alcoholic beverages that may not be commercially marketed to children
66	Labelling of enteral foods for the dietary management of persons with specific medical conditions (FSMPs)

67	Repeals
68	Commencement dates
Annexure number	**Title of Annexure**
Annexure 1	Categories of additives that may be identified by their category name in a list of ingredients
Annexure 2	Prescribed nutritional information declaration format and conversion factors
Annexure 3	Nutrient Reference Values (NRVs) for the purpose of food labelling
Annexure 4	List of foods exempted from a date marking
Annexure 5	Evaluation of protein quality for the purpose of when a protein claim is made
Annexure 6	Letter sizes: definition of x-height
Table number	**Title of Table**
Table 1	Mandatory Nutritional information labelling: exemptions
Table 2	Conditions for nutrient content claims
Table 3	Conditions for glycaemic index category/ranking for the purpose of GI and/or GL claims
Table 4	Approved function claims
Table 5	Reduction of disease risk claims
Table 6	100% Intact whole grain health claim
Table 7	Partially intact, whole grain health claim
Table 8	Made with whole grain flour health claim
Table 9	Approved health claims for dental health
Table 10	Approved health claims for physical performance/exercise

1. DEFINITIONS

In these regulations, any expression to which a meaning has been assigned in the Act shall bear such meaning and, unless inconsistent with the context –

"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 foods, if otherwise, the name and address as provided for in the Codex Alimentarius Commission's document entitled: General Standard for the Labelling of Pre-packaged Foods, CODEX STAN 1-1985;

"added sugar" means any sugar added to foods during processing, and includes but is not limited to: mono and disaccharides (sugars), honey, molasses, sucrose with added molasses, coloured sugar, fruit juice concentrate, deflavoured and/or deionised fruit juice and concentrates thereof, fruit nectar, fruit and vegetable pulp, dried fruit paste, high-fructose corn syrup (HFCS), malt or any other syrup of various origins, whey powder, milk solids or any derivative thereof;

"allergen" means any substance that causes an allergic or other adverse immune response;

"**allergen cross-contamination**" means the presence of any common allergen within a food, though not intentionally added to the food, as a result of the cultivation, production, manufacturing, processing, preparation, treatment, packing, packaging, transport or holding of such food or as a result of environmental contamination;

"allergen control program (ACP)" means a program 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 packaging and retailing;

"annexure" means an annexure to these regulations;

"antioxidant as additive" means an additive that prolongs the shelf life of foods by protecting against rancidity, colour changes or other deterioration caused by -oxidation;

"antioxidant as a nutrient" for the purpose of nutrient content claims, means vitamins A, C and E, riboflavin, copper, selenium, zinc, polyphenols in olive oil, beta carotene, lycopene, lutein and zeaxanthin;

"audit" in terms of certification means a systematic and functionally independent examination to determine whether activities and related results comply with planned objectives or legislative requirements;

"batch" means a definite quantity of a commodity produced essentially under the same conditions, not exceeding 24 hours;

"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 Before" or **"Best Before End"** means the date which signifies the end of the period under any stated storage conditions during which the product will remain fully marketable and will retain any specific qualities for which tacit or express claims have been made. However, beyond this date the food may still be perfectly satisfactory;

"brine" means a solution of sodium chloride in water where the solution is used for curing, and/or preserving;

"bulk stock" means either a container that is used to display several individual units suitable for sale by itself, or several units, which are pre-packed or wrapped for the purpose of bulk sales of foods, which are offered for sale to consumers in quantities of their own choice from a large-scale container, or foods, ingredients or additives which are sold in large quantities to other food manufacturers or catering establishments;

"catering establishment" means any establishment including a vehicle or a fixed or mobile stand where, in the course of business, ready-to-consume foods 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 food, such as wheat, rice, oats, barley, rye, maize, millet;

"certification" means the procedure by which a certification body accredited to ISO Guide 65 (or ISO 17065) provide written assurance that a product, process or service is in conformity with certain standards;

"certifying organisation" means an organisation performing conformity assessment against

specified requirements through an audit process resulting in a certificate being issued;

"chilled" or "refrigerated" 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 food that must be kept chilled to prevent spoilage, a maximum temperature of 7°C;

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

"claim" in relation to a food, 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 trade name 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 FAO/WHO Food Standards Programme;

"colourant" means any substance described as such in the Regulations Relating to Food Colourants published under the Act;

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

"comparative claim" means a claim that compares certain nutrient level(s) and/or energy value(s) and/or alcohol level(s) of two or more similar foods;

"complementary medicine" has the meaning as defined in the General Regulations Made in terms of the Medicines and Related Substances Act, 1965 (Act No 101 of 1965): Amendment;

"compound ingredient" means any ingredient, which itself is composed of two or more ingredients;

"container" means any packaging medium of foods for sale at retail level or for catering purposes for delivery as a single item or for free sample hand-out purposes, whether by completely or partially enclosing the food, and includes wrappers or shrink-wrap for individual and multiple-unit-packs;

"contaminant" means any biological or chemical agent, physical foreign matter or other substance not intentionally added to the food, which is present in such food as a result of the production (including operations carried out in crop husbandry, animal husbandry and veterinary medicine), manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food or as a result of environmental contamination and which may compromise food safety, quality or suitability;

"cold extraction" or "cold pressed" in terms of edible vegetable fat and oil manufacturing, means oil which has been obtained at a temperature of not more than 27°C by percolation or centrifugation of the crushed fruit or seeds;

"daily serving" means the average daily intake in terms of a food vehicle as defined in Regulations Relating to the Fortification of Certain Foodstuffs under the Act;

"dairy product" means a primary dairy product, a composite dairy product or a modified dairy product as defined by the regulations published in terms of the Agricultural Product Standards Act, 1990 (Act No.19 of 1990), as amended;

"date of manufacture" means the date on which the food becomes the final end product as described on the label;

"deflavour" means the intentional removal of the bulk of volatile and non-volatile natural flavourings from fruit juices or fruit juice concentrates;

"deionise" in terms of fruit juices or fruit juice concentrates means the intentional removal of the bulk of mineral salts from fruit juices or fruit juice concentrates;

"dietary fibre" means edible carbohydrate polymers with ten or more monomeric units from plant origin only, which are not hydrolysed by the endogenous enzymes in the small intestine of humans and belong to the following categories:

1. Edible carbohydrate polymers naturally occurring in the food as consumed,
2. Edible carbohydrate polymers, which have been obtained from food raw material by physical, enzymatic or chemical means and which have been shown to have a physiological effect of benefit to health as demonstrated by generally accepted scientific evidence to competent authorities, or

3. Synthetic edible carbohydrate polymers which have been shown to have a physiological effect of benefit to health as demonstrated by generally accepted scientific evidence to competent authorities;

"drained weight" means the net mass of the remaining solid component after the liquid medium has been removed via drainage;

"endorse" means to confirm or convey or declare an approval of a particular food with the permission of an endorsing body through the endorsing body's specific logo, picture or text, but excludes certification;

"endorsing entity" means an entity which is permitted by these regulations;

"end product" means a final product defined by ISO 22000:2005 that will undergo no further processing by a food manufacturer;

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

"engineered nanomaterial" means any intentionally produced material that has one or more dimensions of the order of 100 nm or less or that is composed of discrete functional parts, either internally or at the surface, many of which have one or more dimensions of the order of 100 nm or less, including structures, agglomerates or aggregates, which may have a size above the order of 100 nm but retain properties that are characteristic of the nanoscale. Properties that are characteristic of the nanoscale include:

i) Those related to the large specific surface area of the materials considered; and/or

ii) Specific physic-chemical properties that are different from those of the non-nanoform of the same material;

"enrichment" means the voluntary addition, by a manufacturer, of one or more nutrient to a processed/manufactured food, with the sole purpose of adding nutritional value to the food, excludes "fortification" and is not permitted in raw-processed meat and poultry;

"enteral" means the provision of nutrients directly into the gastrointestinal tract or stomach, orally or through a tube or catheter, when oral intake is inadequate or not possible;

"evidence-based nutrition" means the application of the best available systematically assembled scientific evidence in setting nutrition policy and practice in terms of the reduction of risk for the development of a non-communicable disease;

"fake food" means a food or beverage consisting solely of a mixture of food additives and/or ingredients, not ordinarily consumed on its own in the same form as the ingoing additive or ingredient, excluding water and salt;

"fat" means the sum of fatty acids expressed as triglyceride equivalents;

"flavouring" is as defined under the Regulations Related to Flavouring, published under the Act;

"flavour enhancer" means an additive (non compound food) with the exclusive technological function of enhancing, intensifying or supplementing the existing taste and/or odour of a food;

"flour confectionery" means any cooked food ready for consumption without further preparation (other than reheating) and intended to be consumed within 48 hours of manufacture, having as its characteristic ingredients ground cereal and sweeteners and/or other ingredients, but exclude dry biscuits;

"food additive" means any substance, regardless of its nutritive value, that is not normally consumed as a food by itself and not normally used as a typical ingredient of the food, which is added intentionally to a food for technological (including organoleptic) purposes in the manufacture, processing, preparation, treatment, packing, packaging, transport or storage of the food, and results, or may reasonably be expected to result (directly or indirectly) in such a substance, or its by-products, becoming a component of, or otherwise affecting the characteristics of such foods and excludes any substance added to foods for maintaining or improving nutritional qualities or any contaminants and sodium chloride, but exclude processing aids;

"food constituent" means any biologically active substance other than a nutrient, which is naturally present in certain single ingredient agricultural foods;

"food business operator" means a food manufacturer, seller or importer as defined by the Act;

"food home industry" means a micro business, involved in the manufacturing of food products on small scale for sale and is a sole proprietor, company or close corporation with an annual turnover less than the amount determined by SARS from time to time;

"food for catering purposes" means those foods intended for use in catering establishments, hospitality services including restaurants, schools, hospitals and similar institutions;

"food for special medical purposes (FSMPs)" means foods which are specially formulated and

processed, with distinctive nutritional properties, presented for the dietary management of persons with specific medical conditions, administered through any enteral route under medical supervision;

"food vending machine" means any mechanical device, whether attended to or not, by means of which foods are sold;

"formulated meal replacement" means a food, in powder or liquid form, specifically designed to replace one or more daily meals for the purpose of weight loss;

"fortification" means the addition of one or more micronutrients by means of a prescribed fortification mix to a food vehicle whether or not it is normally contained in a food 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 determined by the Department;

"Front of pack labelling or FOP" means the emphasis of certain nutritional information associated with the risk of developing and contributing to non-communicable diseases, outside of the Table with Nutritional information;

"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 condition or state and includes frozen foods for which special temperature requirements were stipulated for in regulations under the Agricultural Product Standards Act 1990, (Act No.119 of 1990), the National Regulator for Compulsory Specifications Act, 2008 (Act No.5 of 2008) and any other Regulations promulgated under the Act;

"function claim" means a claim that describes the physiological role and function of a nutrient or substance in growth, development and normal physiological functioning of the body;

"generic health promotion" means the promotion of a healthy diet and lifestyle to reduce risk of developing non-communicable diseases, including but not limited to cancer, heart disease, hypertension, Diabetes Mellitus, obesity (which includes food choices, exercise, serving sizes, food preparation methods, et cetera) by an organization or foundation, which focuses its work on educating consumers about these aspects without promoting the consumption or sale of any particular food, brand name, trademark or company in any manner, and where records shall be kept of all generic health promotional materials;

"Glycaemic Index (GI)" means a measure of the blood glucose responses of glycaemic carbohydrates in a food as determined by the latest edition of ISO 26642:2010 standard;

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

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

"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 Coeliac disease and dermatitis herpetiformis;

"glycaemic carbohydrate" means the sum of all the analytical values of the following individual carbohydrate components which are available for metabolism, namely glucose, fructose, galactose, sucrose, lactose, maltose, trehalose, maltodexrins and starch;

"Good Manufacturing Practice" (GMP) means that combination of manufacturing, quality control and hygiene procedures aimed at ensuring that food products are consistently manufactured to their specifications;

"guidelines" means guidelines accompanying and supporting these Regulations as updated and amended from time to time by the Director-General;

"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) physical performance;
(f) mental performance;
(g) a disease, disorder or condition; and
(h) oral hygiene;

"health practitioner" means any health professional 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);

"honey" as defined by the Agricultural Products Standards Act, 1990 (Act No.119 of 1990);

"ILAC" means the International Laboratory Accreditation Cooperation;

"hydrogenated" means fully hydrogenated;

"intrinsic sugar" means sugars which form an inherent part of certain unprocessed single ingredient agricultural foods which are naturally occurring and are always accompanied by other nutrients;

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

"ingredient content claim" means a claim that describes the level of certain ingredients which are simultaneously nutrients in an end product and exclude additive claims;

"import" is as defined in the Act;

"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 food, and includes labelling for the purpose of promoting its sale or disposal;

"liquid medium" means water, or aqueous solutions of sugar, sugars or other sweeteners, food acids or salt, brine, 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;

"main ingredient" means the ingredient in a food which contributes the highest percentage mass in the end product;

"main panel" means that part of the label that bears the brand name or trade name and product name in greatest prominence and which is likely to be seen at first glance by the consumer at the time or purchase, that enables the consumer to immediately identify a product in terms of its character or nature;

"malnutrition" means both under-nutrition and over-nutrition;

"manufacture" as defined in the Act;

"mechanically pressed" in terms of edible vegetable fat and oil manufacturing has the same meaning as "cold pressed";

"medicinal claim" means any words, graphics, pictorials or implications that a relationship exists between a food or substance of a food and the cure or alleviation of any abnormal health condition or physiology of the human body;

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

"Moderate Acute Malnutrition (MAM)" as defined by the WHO means weight-for-height indicator between minus 3 and minus 2 standard deviations (SD) / z-score between -3 and -2 of the international standard, and mid-upper arm circumference (MUAC) between 11.5 cm and 12.5 cm in children 6-60 months old;

"naked bread" means bread, bread rolls and bread buns displayed for sale without being pre-packaged;

"name" means a word or words giving a true description of the nature of the food product concerned, sufficiently precise to avoid misleading or confusing the consumer with regard to the true nature, physical condition, type of packing medium, style, condition, content and type of treatment it has undergone and to enable such product to be distinguished from products with which it could be confused with and, if necessary, including a description of the product where the name of a food is not self evident or self-explanatory;

"nectar" as defined in relevant regulations under the Agricultural Products Standards Act, 1990 (Act No.119 of 1990);

"non-addition claim" means any claim that a sodium, salt or sugar containing ingredient has not been added to a food, either directly or indirectly where the ingredient is one whose presence or addition is permitted in the food and which consumers would normally expect to find in the food;

"non-nutritive sweetener" means a sweetener listed in Regulations Relating to the Use of Sweeteners in Foods under the Act as amended, or a mixture of such non-nutritive sweeteners, of which an amount with the sweetening equivalent of 5 g of sucrose does not have an energy value of more than 8 kJ;

"Not Acute Malnutrition (NAM)" as defined by the WHO, means Low weight-for-age; below minus two standard deviations (SD)/ z-score -2SD below the international reference for weight-for-age also known as undernutrition;

"novel fibre" has the same meaning as prebiotics;

"NRV" means Nutrient Reference Value and is a set of numerical values which is based on scientific data for the purpose of nutrition labelling and relevant claims for the general population from 37 months and older. NRVs are based on levels of nutrients associated with nutrient requirements, or with the reduction in the risk of diet-related non-communicable diseases;

"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;

"nutrient" means any natural or synthetic substance normally consumed as a constituent of a food, which provides energy and/or 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 certain micro and macro nutrients, carotenoids or energy contained in an end-product food;

"Nutrient profiling model" means an electronic tool based on a set of scientific criteria to categorise foods according to their total nutritional composition for the purpose of screening foods to determining their eligibility to make nutrient, ingredient content and/or health claims;

"nutrition claim" means any representation that refers to a specific nutrient or food constituent content of a particular food such as a nutrient content claim, a comparative claim, but excludes:
(a) the mention of substances within the list of ingredients; and
(b) the mention of substances in the Table with Nutritional Information;

"omega-3 fatty acids" means one or more of the following;

- alpha-linolenic acid (ALA);
- omega-3 derivative docosahexaenoic acid (DHA 22: 6ω3);
- omega-3 derivative eicosapentaenoic acid (EPA 20:5ω3); and
- omega-3 derivative docosapentaenoic acid (DPA ω3, 22:5ω3);

"partially whole grain" means the addition of a specified percentage of intact whole grain kernels to a food;

"peanuts" mean the kernels of the underground fruit of the plant *Arachis hypogaea* of the species/legume family *Fabaceae*;

"polyol" means an alcohol containing multiple hydroxyl groups;

"polyunsaturated fatty acids" mean fatty acids with cis-cis methylene interrupted double bonds;

"poultry" means any chicken, duck, goose, guinea fowl, ostrich, partridge, pheasant, pigeon, quail, turkey and the chicks thereof;

"prebiotics" or novel fibres mean edible carbohydrates, of which the degree of polymerization (DP) varies between two (2) to sixty four (64) monomeric units; which resist hydrolysis by mammalian enzymes that allow specific changes, both in the composition and/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 food in packaging material or made up in advance in a container, ready for sale to the consumer or to a catering establishment, so that such food cannot be altered without opening or changing the packaging but does not include individually wrapped one-bite sweets or chocolate confectionery which is not enclosed in any further packaging material and is not intended for sale as individual items, and does not include the outer containers of bulk stock;

"preservative" means an additive that prolongs the shelf life of a food by protecting against deterioration caused by microorganisms;

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

(i) harvesting;
(ii) slaughtering;
(iii) cleaning;
(iv) decapitating;
(v) defeathering;
(vi) dehairing;
(vii) eviscerating;
(viii) portioning;

(ix) sectioning;
(x) mincing;
(xi) deboning;
(xii) washing;
(xiii) chilling;
(xiv) removal of fish scales,
(xv) removal of blemishes and foliage of fruit and vegetables;
(xvi) removal of inedible skins and seeds of fruits and vegetables;
(xvii) removal of the skins of animals; or
(xviii) the mixing, compounding or blending of two or more single ingredient agricultural ingredients that have not been processed;

"processed meat" means products containing meat as defined in the South African National Standard SANS 885:2011;

"processing aid" means any substance consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or its ingredients, to fulfill 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 product;

"protein" means–
(i) 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;
(ii) 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;
(iii) 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
(vi) of which the nitrogen shall be multiplied with the appropriate factor as listed in Annexure 2;

"pulp" as defined in relevant regulations under the Agricultural Products Standards Act, 1990 (Act No. 119 of 1990);

"puree" as defined in relevant regulations under the Agricultural Products Standards Act, 1990 (Act No. 119 of 1990);

"raw-processed meat" means raw meat products from all species of meat animals and birds intended for human consumption, cured or uncured, or a combination thereof, pre-packaged or un-prepacked, that may have undergone freezing and/or partial heat treatment, and where any added

ingredients and/or additives and added water, including brine, is(are) retained in or on the product as sold, but excludes products covered by the SANS 885:2011 standard;

"ready-to-consume-food" means any solid or liquid food prepared into a form in which it is normally consumed without further processing;

"reconstituted whole grain" means the process of separating the main components of the intact grain kernel (endosperm, bran and germ) through a physically disrupting process such as milling, heat treating or halting the lipase activity in the germ to stabilise it and recombining or reconstituting the main components in a proportion less than 100% of the naturally occurring intact grain kernel, with substantial losses in essential minerals, vitamins and phytonutrients and a substantial increase in the Glycaemic Index value, when compared to the intact whole grain kernel;

"reputable laboratory" means a laboratory which has the required accreditation for each method and technique used for the purpose of nutritional and microbiological information on labels of foods by the South African National Accreditation System (SANAS) or another recognised international accreditation authority which is a member of the International Laboratory Accreditation Cooperation (ILAC) and part of the International Laboratory Accreditation Arrangement;

"salt" means the compound Sodium Chloride in the ratio Na:Cl of 40:60;

"SANAS" means 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);

"scale label or sticker" means a self-adhesive label applied to the packaging of a food bearing a brief description sufficient to identify the food, mass or quantity contained and any other required information under applicable regulations, and which has been printed using a mass measuring instrument approved for trade in terms of the Trade Metrology Act (Act No. 77 of 1973);

"sell" means as defined in the Act;

"sell by date" or "display until date" means the last date of offer for sale to the consumer after which there remains a reasonable storage period at home;

"serving" in relation to a food, means the mass, volume or number, as the case may be, of a food which is typically consumed as a single serving by the average consumer and which is referred to in the nutritional information table;

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

(i) Wheat, meaning any species belonging to the genus *Triticum*, including varieties such as kamut and spelt;

(ii) Rye, meaning any species belonging to the genus *Secale*;

(iii) Barley, meaning any species belonging to the genus *Hordeum;*

(iv) Oats; or

(v) Crossbred hybrids of wheat, rye or barley (e.g., triticale, which is a cross between wheat and rye);

"single ingredient agricultural commodities" mean:

(i) single type fresh fruit or vegetables;

(ii) single type frozen fruit or vegetables;

(iii) single type dehydrated vegetables without any added additive or ingredient;

(iv) single ingredient dried fruit without any added additive or ingredient;

(v) Single type fruit or vegetable juice without any additive(s);

(vi) whole eggs;

(vii) raw, fresh or frozen unprocessed fish and marine products;

(viii) unprocessed meat of birds and animals referred to in Schedule 1 of the Meat Safety Act, 2000; (Act No. 40 of 2000);

(ix) black and green tea, honeybush tea and rooibos tea;

(x) vinegar;

(xi) pure/100% honey;

(xii) single ingredient whole grain cereal kernels, excluding rice;

(xiii) single ingredient raw oil seeds;

(xiv) raw soya beans;

(xv) raw groundnuts without any added ingredient or additive;

(xvi) single ingredient dry legumes;

(xvii) milk , dairy cream and unsalted butter;

(xviii) raw, fresh tree nuts without any added additive or ingredient; and

(xix) fresh or dried coconut flesh;

(xx) Single ingredient vegetable oil such as 100% sunflower oil

"starch" means edible starch as listed in Guideline 2 and excludes chemically modified starches;

"strict vegetarian diet" means a diet which excludes all ingredients and additives derived from animal origin and the expression "vegan" has the same meaning;

"substance" is a collective term for any chemical, enzymes, microbiological, or physical component, nutrient, or food constituent present in or added to a food;

"sugar" means all mono and disaccharides;

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

"therapeutic claim" has the same meaning as medicinal claim;

"total carbohydrates" means the sum of the mono-, di- oligo- and polysaccharides as indicated in Guideline 2 (sum of glycaemic carbohydrates, polyols, prebiotics and dietary fibre); .

"total sugar" means the sum of all intrinsic and added sugars but exclude polyols or sugar-alcohols;

"traceable/traceability/product tracing" means the ability to follow the movement of a food through specific stage(s) of production, processing and distribution;

"traditional African beer" means a product produced by the alcoholic fermentation of malted grain of sorghum, maize, finger millet or pearl millet, be it in a state of alcoholic fermentation or have its alcoholic fermentation arrested, contain at least four per cent solids derived from the grain or meal, and if sold in powder form, comprises not more than three parts by mass of milled sorghum or maize malt, not less than seven parts by mass of milled, precooked maize, unmalted sorghum grain or meal and does not contain or is not flavoured with hops or any product derived from hops;

"tree nuts" mean 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" mean the average of real, typical, representative, composite nutritional or microbiological values of a food sampled and analysed according to the relevant criteria and methods stipulated in Guideline 9 and Codex, and which has the required accreditation by the South African National Accreditation System (SANAS) or other recognised international accreditation authorities which are part of the ILAC arrangement;

"vegetarian" means a diet which-

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

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

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

"uncommon allergen" means any food or non-food allergen not classified as a common allergen;

"Use by" (Best Consumed Before, Recommended Last Consumption Date) means the date which signifies the end of the estimated period under the stated storage conditions, after which the product probably will not have the quality attributes normally expected by the consumers and after which date the food should not be regarded as marketable;

"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";

"weight loss substance or ingredient" means a specific ingredient or substance that is a normal constituent of food, or is added; including vitamins, minerals or herbs which is not scheduled substances under the Medicines and Related Substances Act, 1065 (Act No.101 of 1965), as amended, that is linked to or by implication has an effect on reducing energy intake and/or on energy uptake, and/or increases energy expenditure; including through actions such as thermogenesis, increased satiety, appetitive suppression, absorption blocking effect, or similar actions;

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

"whole grain" means intact grains from cereals, of which the inherent characteristics have not been physically disrupted through processes such as cracking, which naturally contain all the components namely endosperm, bran, germ, all the macronutrients, micronutrients and trace elements of the original unprocessed whole kernel, and inherently have a low glycaemic response;

"whole grain flour" means flour obtained by the milling of whole grains which still contains all the components namely endosperm, bran, germ, all the macronutrients, micronutrients and trace elements of the original unprocessed whole kernel in its original form, usually having a short shelf life in itself as well as the food in which it is used, and which, as a result of the milling, results in a product which has a higher glycaemic response than intact whole grains;

"whole wheat" has the same meaning as whole grain.

GENERAL PROVISIONS

General

2. No person shall,-

(a) manufacture, import, sell, donate or offer for sale any pre-packed food, unless the food container, or the bulk stock from which it is sold or taken, is labelled in accordance with these regulations;

(b) neglect to fully and accurately inform, omit or withhold information pertaining to a food's character, origin, composition, quality, nutritive value, nature or other properties from the consumer or manufacturer, which may result in misinformation to consumers at any point between farm and fork.

3. A food business operator responsible for the information required by these Regulations shall be the operator under whose name or business name the food is marketed or, if that operator is not established in South Africa, shall be the name of the importer into South Africa.

4. No person shall-

(a) promote or advertise a food in any manner, which contains any information, claim, reference or declaration not explicitly permitted on the label by these regulations; and

(b) include any information, other than what is required by these regulations, on the label.

5. Subject to the specific conditions of regulation 64(3) a non-repacked food that is displayed for sale, shall have the particulars required in terms of these regulations to be displayed in its immediate proximity, unless otherwise indicated.

6. All information relating to the requirements of these Regulations shall be kept on record by the manufacturer, importer, or seller, in the form of Supplier Ingredient Information File as per example provided in Guideline 1. This applies to every ingredient, additive or substance used in the manufacturing of the food, irrespective of whether the food is intended for direct sale or for further processing and/or manufacturing. This is required for the purpose of traceability issues and subsequent labelling. All Supplier Ingredient Information Files shall be kept on record by the manufacturer or importer, whatever is applicable, and failure to produce the relevant documentation within two (2) working days, upon request by an inspector or employee of the Department, shall constitute an offence.

7. No label, promotion or advertisement of a food shall refer to the Act, Regulations, the Department of Health, Provincial or Local Government, or any official of the said Department, Provincial or Local Government.

8. Notwithstanding the conditions of Regulation 16, any endorsement of a food is considered the voluntary decision of a food operator and is not a mandatory requirement in terms of these Regulations.

9. No person shall-

(a) include a sample of complementary medicine or special ingredient in a food container and making a claim on the label of the food regarding the therapeutic effect of the complementary medicine or special ingredient;

(b) include a complementary medicine or special ingredient which is also sold independently as a complementary medicine, in a food as an ingredient of the food by using the brand name of the complementary medicine to indicate its presence in the list of ingredients or anywhere else on the label;

(c) compare a food with a good such as a complementary medicine; and

(d) shall include a scheduled substance, including Schedule 0, except vitamins and minerals at levels deemed to be food, under the Medicines and Related Substances Act, 1965 (Act No 101 of 1965) as amended, as an ingredient of any food.

Presentation

10. (1) Subject to the provisions of regulation 11, information required to appear on any label shall be -

(a) in English, and may be in at least one other official language of the Republic of South Africa;

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

(2) The label of a pre-packaged food shall be applied in such a manner that it cannot be separated from the container at point-of sale.

Letter sizes

11. Unless otherwise stipulated by the Agricultural Products Standards Act, 1990 (Act No. 119 of 1990) and the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008), and -

(a) subject to these regulations and in the interest of ensuring clear legibility, the name of the food shall appear on the main panel of the label in letters, according to Annexure 6, 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 6 is not less than 0.9 mm in vertical height;

(b) (i) the information required to appear on a label excluding the name, warning and mandatory statements where applicable in terms of these Regulations, shall be in letters of a font size of which the x-height according to Annexure 6, is not less than 1.2 mm vertical height;

(ii) (aa) the letter sizes prescribed in Regulations 11(a) and 11(b)(i) shall apply to packages of which the main panel exceeds 12 000 mm^2;and

(bb) 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 6, of the font size of the letters shall not be less than 0.9 mm in vertical height.

(c) words which qualify the name of the food or which are part of the description thereof, shall, in cases where the name in itself does not reflect a proper description of the food 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 6, is not less than 1.2 mm vertical height; Provided that the listing of ingredients and proportions of ingredients shall be in a letter type of uniform size, colour, font and prominence throughout.

Identification

12. The label of a pre-packaged food shall contain -

(a) on the main panel-

(i) subject to requirements of the Agricultural Products Standards Act, 1990 (Act No. 119 of 1990), the name of the particular food. Where the name is not a true description of the food, the name shall be accompanied by an appropriate description and where a name or names have been established for a food in a Codex Alimentarius Standard, at least one of these names shall be used; and

(ii) where necessary there shall appear on the label either in conjunction with, or in close proximity to the name of the food, 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 food, including but not limited to, the type of packaging medium, style, and the condition or type of treatment it has undergone such as dried, concentrated, reconstituted or smoked;

(b) the address of the manufacturer, importer or seller

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

(d) a list of ingredients required by regulations 18 to 29, where applicable;

(e) special storage conditions, if/where applicable; and

(f) the net contents of the container in the SI-units ("Système International units") in accordance with the requirements of the Trade Metrology Act, 1973 (Act No.77 of 1973).

Country of origin

13. (1) Unless otherwise required by regulations published in terms of the Agricultural Products Standards Act, 1990 (Act No.119 of 1990), the National Regulator for Compulsory Specifications Act, 2008 (Act No.5 of 2008) and the Consumer Protection Act, (Act No.68 of 2008), the country of origin of a food shall 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 food, 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 food is processed in a second country which changes its nature; or

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

(d) In the case of imported single ingredient agricultural commodities in bulk, where owing to climatic, seasonal or other contingencies, the words "Product of (name(s) of country(ies)) separated by the expression "and/or", in cases where more than one country may be the source of the single ingredient agricultural commodity, shall be declared on the label of the final pre-packed food; Provided that the final end product remains a single ingredient agricultural commodity.

(2) A country of origin indication by the national flag of a country is not permitted.

Batch identification

14. A container of a food shall be clearly marked with a batch number in such a way that the specific batch is easily identifiable and traceable, unless otherwise stipulated in terms of regulations published under the Agricultural Products Standards Act, 1990 (Act No. 119 of 1990) and the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008).

Date marking

15. (1) No person shall import, manufacture, sell, distribute or donate a food unless a date marking is clearly indicated on the label or container of such food, except those foods indicated in Annexure 4.

(2) The date shall be preceded by appropriate words "Best Before" and/or "Use By", and/or "Sell By", depending on the nature of the product; Provided that abbreviations shall not be permitted, except "BB" for "Best Before", and the preceding words shall be written out in full.

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

(4) 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.

(5) The date shall be indicated in the order, "Day-Month-Year", when numbers only are used. In the case where an order other than "Day-Month-Year" is used, the month shall be indicated in letters, either written out in full or abbreviated (e.g. "Feb" or "February"), and the year shall be written out in full (e.g. 2014).

Prohibited statements

16. (1) The following information or declarations shall not be reflected on a label or advertisement of a food:

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

(i) a health practitioner, (individually or as part of any professional or consumer advisory organisation consisting of one or more of the aforementioned health practitioners);

(ii) Endorsing entities (excluding any Fauna and Flora related certifying and endorsing entities, or other endorsing entities certifying certain safety or quality aspects of foods), unless approved by the Director-General and which can provide a complete dossier with proof of the fact that:

(aa) the endorsing entity is 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, or other public health concerns, through specific food choices supported by evidence-based nutrition science;

(bb) the endorsing entity is independent of, free from influence by, and not related to the supplier of food/manufacturer in relation to which an endorsement is made;

(cc) the food business operator has 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;

(dd) the foods being endorsed are fully compliant with all applicable regulations published under the Act;

(ee) the directions of the endorsement entity and the criteria it uses, do not contradict the requirements of these regulations, specifically in terms of the criteria related to nutrition, ingredient content and health claims;

(ff) the food which is endorsed, is eligible for making a nutrition, ingredient content or health claim according to the Nutrient Profiling Model; and

(gg) in the case of fruit or vegetable juices being endorsed, the fruit or vegetable juice shall not contain added fructose, shall qualify for the non-addition claim for sugar and shall have a dietary fibre content per 100 ml that equals at least 80% of the dietary fibre content of 100 g of the same fresh fruit or vegetable.

(b) endorsements by specific religious entities, unless food business operators give consumers their constitutional right of freedom of choice, by making such foods without any particular religious endorsement available on the shelf at all times.

(c) 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 servings per day shall comply with the guidelines of the National Department of Health/s Food Guide and subject to regulation 53(11), may include the wording of the applicable Food Based Dietary Guideline.

(d) 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 energy, nutrition, ingredient content or health claim;

(e) an endorsement by a food business operator in terms of its nutritional or health properties unless compliant and permitted by these Regulations.

(f) the words "health" or "healthy" or any other words, logos or pictorials with a similar meaning 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 regulation 51(2) and where the word(s) is/are used in permitted function or disease risk claims;

(g) the words "wholesome" or "nutritious" or any other words, logos or pictorials with a similar meaning in any manner including the name and trade name;

(h) a claim that a food 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;

(i) subject to the provisions of the Medicines and Related Substances Act, 1965 (Act No.101 of 1965) as amended, the word "cure", "restore", "heal" or any other medicinal or therapeutic claim;

(2) Any formulated food, whether in solid or liquid form, which claims certain beneficial nutrients or category of nutrients and/or ingredient(s) with health benefits in the brand or trade name-

(a) will be allowed to use the brand or /trade name until 1 May 2015: Provided the brand/trade name was registered before 1 May 1995, where-after the use of such brand or trade name shall not be permitted anymore; and

(b) shall, if the brand or trade name of the food was registered after 1 May 1995, not be permitted to use such brand/trade name after the day of final publication of these Regulations.

(3) Any formulated food, whether in solid or liquid form, which contains a health claim in the brand or trade name-

(a) will be allowed to use the brand or /trade name until 1 May 2015: Provided the brand/trade name was registered before 1 May 1995, where-after the use of such brand or trade name shall not be permitted anymore; and

(b) shall, if the brand or trade name of the food was registered after 1 May 1995, not be permitted to use such brand/trade name after the day of final publication of these Regulations.

Negative claims

17. (1) Subject to the conditions for nutrient content claims in Table 2 of Regulation 54(16), and referring to Guideline 4, no claim, declaration or implication shall be made on the label of a food that such food –

(a) alone possesses a particular characteristic, property or substance when in fact similar foods 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 foods; and

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

"(generic or category name of food 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 foods 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, in the referred-to class or category of foods;

(ii) the claim, declaration or implication is worded in a generic manner as follows: "A naturally (name of characteristic, property or substance) free food"; or" (generic or category name of food but no brand name) is a naturally (name of characteristic, property or substance) free food" so as not to reflect negatively on other similar foods 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 foods in terms of specific regulations under the Act, is absent from the particular brand name of the particular class or category of foods, the claim, declaration or implication, when used, shall 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 foods under specific regulations under the Act, the claim, or declaration shall be worded in a generic manner as follows: "A (name of additive) free (name of category or class of food) as is the case with all (name of category or class of food)"; or

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

(4) No declaration referred to in sub regulations (1) and (2) shall be made in relation to packaged water.

SPECIAL PROVISIONS

Seasonal ingredients

18. Subject to the compositional requirements under the Agricultural Products Standards Act, 1990 (Act No. 119 of 1990), where applicable, where, owing to climatic or seasonal contingencies, it is not possible to comply with the list of ingredients as indicated on the label, the name of ingredients other than the main ingredient, that might be present shall appear consecutively but not

necessarily in descending order of mass or volume in the list of ingredients, shall be preceded by the expression "and/or".

Order of list of ingredients

19. Ingredients of a blended, compounded or mixed food, including beer and traditional African beer, shall be listed on any label in descending order of mass present in the end product under the heading "Ingredients": Provided that fruit juices shall be listed according to the ingoing mass of the reconstituted juice, not according to the mass of the concentrate.

Variable proportions

20. Where a food 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 food 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 food, 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

21. The following ingredients of a food, may be shown in any order at the end of the list of ingredients:

(a) Herbs or spices not exceeding 2% by mass; either singly or in combination

(b) vitamins; and

(c) minerals, subject to regulations 54(6) and 54(7).

Naming of ingredients and other related matters

22. (1) The name used for an ingredient in a food in the list of ingredients on any label shall -

(a) be the name used for such ingredient when independently sold as a food and includes or be accompanied by any indication which, if the ingredient were itself being sold as a food, would be required in terms of these regulations to be included in the name or to accompany the name of the food.

(b) in the case of a microbiological culture, indicated according to its technological purpose.

(2) Where an ingoing concentrated or dehydrated ingredient, -

(a) excluding fruit juices, is reconstituted or partially reconstituted for use in the manufacturing of a food, the ingredient shall be preceded by the appropriate descriptive words such as "reconstituted (name of ingredient) concentrate" or "reconstituted, dried (name of ingredient)" or whatever is applicable, in the list of ingredients;

(b) is a fruit juice, the juice type shall always be named in the list of ingredients as reconstituted (name of fruit juice).

(3) All ingredients or additives present in the form of engineered nanomaterials shall be indicated in the list of ingredients as: (name of ingredient/additive) followed by the word nano in brackets, such as purple colourant: gold (nano).

(4) Mechanically recovered meat (MRM), or any synonyms such as mechanically separated meat (MSM), mechanically deboned meat (MDM) and mechanically boned meat (MBM) shall always written out in full and may not be abbreviated when listed in the list of ingredients.

(5) Names such as "salt" or "sodium chloride", "vinegar" or "acetic acid", "brine", or "syrup" may be used in the list of ingredients.

Indication of the type of animal, fish or bird

23. Subject to Regulation 20, in the case of fresh, canned, frozen, raw-processed and processed fish, meat of birds and animals, pre-packed and offered for sale unpacked, the specie name of the fish, bird or animal, commonly known to consumers, shall be clearly indicated in the direct vicinity of where the product is exhibited for sale, in the list of ingredients or on the scale label, whatever is appropriate; Provided that only meat of animals and birds referred to in Schedule 1 of the Meat Safety Act, 2000 (Act No.40 of 2000) that is intended for human consumption in South Africa, shall be used in foods.

Raw-processed meat of poultry and other food animals and birds

24. In the case of raw-processed meat, no misleading words such as basted, basting, self-basting, marinated or marinating, seasoned or seasoning or any other words with a similar meaning shall be used as part of the name or description of the food, to hide the fact that additives and/or other ingredients were added into raw meat.

Quantitative Ingredient Declarations (QUID)

25. (1) Where the labelling places any form of emphasis on the presence of one or more valuable or characterising ingredients, the percentage of these ingredient(s) in the end product, shall be declared –

(a) in accordance with the 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 food; or

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

(2) Notwithstanding the requirements of regulation 25(1)(b), the Agricultural Products Standards Act, 1990 (Act No. 119 of 1990) and subject to regulation 27(1) and (27)(2)(c), raw-processed meat products shall indicate the quantitative ingredient declaration (QUID) for the meat and water content as percentages on the main panel, in bold capital letters-

(a) for meat and water on the meat as ice; and/or

(b) for the meat and water in the meat as a brine-based or other mixture.

(c) in the following letter sizes:

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

(ii) for packages 1 kg or more, at least 5 mm in vertical font height; or

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

(3) A QUID declaration is not a mandatory requirement for canned fish and marine products, canned meat, frozen fish and seafood products, agricultural fishery products and agricultural products for which compositional standards or regulations already exist under the National Regulator for Compulsory Specifications Act, 2008 (Act 5 of 2008), and the Agricultural Products Standards Act, 1990 (Act 119 of 1990), and the Liquor Products Act, 1989 (Act No. 60 of 1989), except for:

(a) processed meat products, excluding traditional biltong and dry sausage;

(b) raw-processed meat products

(c) fruit juices, excluding fresh, orange juice

(d) primary dairy products with added ingredient(s)

(e) edible ices

(4) No deviation from the quantitative ingredient declaration of an emphasized ingredient as declared on a label shall be permitted; Provided that in cases where the quantitative content of an emphasized ingredient varies from batch to batch, an internal specification which stipulates a minimum and maximum amount, shall be 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 shall always be the lower one.

Compound ingredients

26. (a) Subject to regulations 43 to 47 of these Regulations, as well as the Regulations Relating to Flavourings published under the Act, where a compound ingredient is used in a

food, the names of the ingoing ingredients and additives of the compound ingredient, shall be listed in parenthesis in descending order, after the name of the compound ingredient in the list of ingredients.

(b) The following, but not limited to, ingredient or ingredient mixes shall always be considered compound ingredients as per examples in Guideline 6: milk or milk derived solids; flavour emulsions; unflavoured cloudifiers; and where a combination of flavouring(s), with or without other additives and non-flavouring food ingredients is used in or on a food, the combination shall be considered a compound ingredient, and shall be labelled in accordance with the provisions of these Regulations.

Added Water

27. (1) Subject to regulations 19 and 27(2) below, added water shall be declared in the list of ingredients in the appropriate order.

(2) Subject to regulation 27(1), water that is added as an ingredient or through processing of a food, shall be declared in the list of ingredients of such food, unless-

(a) it is used in the manufacturing of the food 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 regulations 27(1) and 25(2), water added as an ingredient in a sauce or marinade on meat, need not be declared.

Added caffeine

28. In the case where caffeine as an ingredient (excluding tea, coffee or cacao which contains caffeine naturally) is added to a food,-

(1) the caffeine content, indicated in milligram (mg) per single serving and per 100 g/ml shall be indicated-

(a) in or directly under the nutritional information table; or

(b) adjacent to or below the warning message.

(2) the words "Contains caffeine. Not recommended for children, pregnant or lactating women, or persons sensitive to caffeine", shall be declared on the label in bold font, on the main panel in the same field of vision as the name and/or description in letters not less than 3 mm vertical font size.

Fats and oils

29. (1) In relation to fats and oils (single or in combination) which have been used in foods, and additional to the requirements of Regulations 18 and 26–

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

(b) the names of ingoing fats and oils shall specify from which type of "vegetable", "animal", "fish" or "marine" source the fat or oil originates from, in the list of ingredients if a conclusion of what the source of the fat or oil is, 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, shall be included in the name of the fat or oil;

(d) fats and oils shall, when applicable, be further qualified by the term "hydrogenated";

(e) subject to the requirements of the Regulations Relating to *Trans*-fat in Foods, where a partially hydrogenated fat/oil is used as an ingredient, and it contains less than 2 g *trans*-fat per 100 g fat/oil, such fats and oils shall be further qualified by the term "partially hydrogenated".

(f) no pictorial representation of any specific oil such as olive oil in an oil blend, may be depicted on the label unless the type of oil depicted on the label constitutes at least 66% of the oils in the oil blend.

(2) No oil or oil blend from plant origin shall 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

30. (1) Where a food is sold from bulk stock only and not as individual units, such bulk stock container shall be labelled in accordance with all the labelling requirements for individually packed foods, and the lettering shall 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 also individually packed and labelled in accordance with the requirements of these regulations.

(2) In cases where a food is sold in bulk other than by retail-

(i) it shall be accompanied by relevant trade documents reflecting all particulars required by these regulations to appear on the label of a pre-packed food; and

(ii) it shall contain on the external packaging in which it is transported, the following minimum labelling information: name of the product, name and address of the manufacturer, special storage conditions and an appropriate date marking.

(3) Where more than one unit of foods, which is also sold as individual units at retail level, are shrink-wrapped for sale in bulk at retail level, and subsequently label information becomes obscured and inaccessible to consumers, the label of the individual unit shall be applied on top of the shrink-wrapped container which contains all the information required by these Regulations.

Small packages

31. The packaging of a pre-packed food that has a total exterior area of 2000 mm^2 or less, including single once-off use 10 g or less sized packages of herbs and spices, are exempted from the requirements of labelling, except for the declaration of the name and/or description, the address of the manufacturer, an appropriate date, the declaration of common allergens if applicable, and the declaration according to regulation 49 if that the product has undergone irradiation.

Storage instructions

32. (1) Subject to the requirements in regulations 11 and 12(e), words that indicate the appropriate storage instructions, when deemed appropriate by the manufacturer, before and after opening, shall appear in bold font, capital letters not less than 3,0 mm in vertical font height on the label.

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

Food vending machines

33. The front of a food vending machine from which any food is sold shall have a notice indicating the name of the food, except where such name appears on the label of the food in such a manner as to be easily visible and legible to a prospective purchaser from the outside of the machine.

Pictorial representation

34. (1) The pictorial representation on the label or any advertisement of a pre-packaged food may not be presented 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; Provided that a food garnish, food or ingredient not present in the container which, if used, shall make up not more than 20% of the surface area of the pictorial representation.

(1) Pre-packaged foods shall 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 food might be confused, or in such a manner as to lead the purchaser or consumer to suppose that the food is connected to such other product.

Labelling of pre-packed food additives

35. The label of any pre-packed food additive or blend of food additives shall -

(a) bear the words "for use in food" or "for use in food" or "food additive" or "blend of food additives";

(b) in the case of sulphur dioxide compounds, state the maximum and minimum percentage of sulphur dioxide the contents will yield;

(c) state the appropriate common chemical name(s) where applicable, the technological function(s) and the International Numbering System (INS) number; and

(d) in the case of food additives with a shelf-life not exceeding 18 months, indicate the date of maximum durability using such words as "Use before X", where "X" is the latest recommended date for use.

Indication of food additives

36. (1) All additives which are added to a food shall be indicated in the list of ingredients.

(2) Additives, except those mentioned in regulations 38 to 41, which are added to and used in a food to perform the function of one of the categories of additives listed in Annexure 1 may be indicated on a label by the name of the specific additive category, and if any additive is added to or used in a food to serve more than one such function, it shall be indicated by the name of the category that represents the principal function performed in that food.

(3) Subject to regulations 38 to 41, in the case where an additive category is not listed in Annexure 1, both the common chemical name as well as the technological function of the additive shall be indicated in the list of ingredients.

Flavourings

37. (1) Additives used for flavouring purposes shall be indicated as "flavouring" as permitted by the Regulations Relating to Flavourings as published under the Act.

(2) Subject to regulation 11(c) and regulations published in terms of the Agricultural Products Standards Act, 1990 (Act No.119 of 1990), where a food contains a flavouring of an ingredient, but not the real ingredient itself, the words "flavouring" or "flavoured" shall 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 regulations 25(1) and 25(4) and the requirements of the Agricultural Products Standards Act, 1990 (Act No.119 of 1990), in the case where a food contains a flavouring which is representing a particular ingredient as well as the particular ingredient itself, the food need not be labelled as a flavoured food in the name and/or description.

Tartrazine

38. No person shall sell any food containing the colourant Tartrazine, also known as E 102 or Yellow No. 5, unless the phrase "Tartrazine (colourant)", appears in the list of ingredients.

Preservatives

39. (1) The presence of any preservative shall be indicated on any label by the common chemical name of the preservative, preceded by the word " preservative(s)" and followed by the common chemical name of the preservatives in parenthesis (brackets).

1. In the case of Sodium or Potassium nitrite and Sodium or Potassium nitrate used as curing agents, the curing agent shall be indicated as follows: "Preservative: Curing agent(s): Sodium or Potassium nitrite or Sodium or Potassium Nitrate" whatever the case may be.

(2) When the preservative sulphur dioxide or related compounds, is used at a level of less than 10 mg per kilogram (mg/kg) food as packed or ready to eat, the preservative sulphur dioxide or related compounds needs not be declared: Provided that in the case where the preservative sulphur dioxide (SO2) or related compounds does not necessarily form part of the ingredients of a food, but is transferred to the food through contact with the packaging material, or where the skin of whole, unpeeled, fresh fruits and vegetables was treated with SO2, the presence of SO2, irrespective of the level, shall be declared on the container.

Anti-oxidants as additives

40. The presence of any anti-oxidant as an additive or any abbreviation of its common chemical name shall be indicated on a label as follows: "anti-oxidant as an additive: (common chemical name)".

MSG

41. The addition of monosodium glutamate or MSG shall be labelled as follows in the list of ingredients: "monosodium glutamate (flavour enhancer)" or "MSG (flavour enhancer)".

Processing aids and carry-over of food additives

42. Subject to the conditions of regulations 38 to 41,-

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

(b) a food additive, except a preservative, carried over into foods at a level less than what is required to achieve a technological function, as well as processing aids, are exempted from declaration in the list of ingredients.

43. Notwithstanding the requirements of regulations 38 to 41, any additive or carrier for an additive, which is derived from or contaminated with a common allergen, shall indicate the origin of the common allergen in parenthesis after the name of the additive in the manner "[name of additive (name of a common allergen)]".

Allergens and related matters

44. Where a product or its packaging material contains any one or more common allergens, the presence thereof shall be indicated, as the case may be:

(a) in bold font in parenthesis (brackets) after the name of such ingredient in the list of ingredients, if it is not self-evident from the name of the ingredient; Provided cow's milk may be indicated as milk only, and

(b) in the case of significant cereals-

(i) the word "gluten" is indicated as described in regulation 44(a) and/or 44(b); and

(ii) if the common allergen is wheat or a derivative of wheat, the word "wheat" shall be indicated as described in Regulations 44(a) and/or 44(b), in addition to the word "gluten".

Uncommon allergens

45. (1) The presence of uncommon allergens in or on the food or its packaging material whether as a result of its intentional inclusion or due to the handling of the product during

manufacturing, has to be disclosed by manufacturers upon request by a consumer, inspector or the Department of Health based on the information contained in the Supplier Ingredient Information File provided in Guideline 1 which shall be kept on record.

(2) The presence of goat's milk in a food shall be labelled as goats milk:

(a) in the same manner as for common allergens as indicated in regulation 44; and

(b) the following statement shall appear in close proximity to the name of the food on the main panel: "Allerginicity: Goat's milk is highly cross-reactive with cow's milk."

Allergen cross contamination

46. If there is a risk for cross contamination of a common allergen in a food processing facility:

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

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

(i) precautionary labelling shall not be utilised to circumvent the implementation of Good Manufacturing Practices and an effective allergen control policy (ACP); and

(ii) the risk, the manner of assessing the risk, and the steps taken to avoid the risk of allergen cross-contamination, shall be documented in the Supplier Ingredient Information File as per example provided in Guideline 1. 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.

47. Allergen-related claims

(1) Gluten-free and naturally gluten-free

The claim "gluten-free" shall not be permitted for a food that-

(a) contains an ingredient that is or has been derived from any species of the significant cereals;

(b) contains equal to or less than 20 mg/kg gluten in the end product, and the level of gluten is determined by the R5 Mendez Enzyme-Linked Immunosorbent Assay (ELISA) for gluten (as described in Guideline 7), or other Codex-recommended methods; and/or

(c) a cereal which, by its nature, is suitable for use as part of a gluten-free diet, shall not be designated "special dietary", "special dietetic" or any other equivalent term, but may bear a statement on the label that "this cereal product is by its nature gluten-free"; Provided that it contains equal to or less than 20 mg/kg gluten, where the level of gluten is

determined by the R5 Mendez Enzyme-Linked Immunosorbent Assay (ELISA) for gluten or other Codex-recommended methods.

(2) **Hypoallergenic, non-allergenic or allergen-free claims**

No claim shall be made that a food-

(a) neither a single ingredient food nor a compound food, is "hypoallergenic " or "non-allergenic" or similar wording, unless the food is modified by chemical or genetic means so as 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 similar wording, unless the food has been tested to confirm the absence of the particular allergen(s), using suitable testing for the specific allergen(s).

Misleading descriptions

48. (1) Any 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/rearing of food animals, such as, but not limited to, "grain fed", " grass-fed", "Karoo lamb", "natural lamb", "country reared", "free range", "pure", which are linked to specific protocols which are approved or registered with the Department of Agriculture, or regulated in terms of the Agricultural Products Standards Act, 1990 (Act 119 of 1990) or National Regulator for Compulsory Specifications Act, 2008 (Act 5 of 2008), will be permitted on the pre-packaged labelling and advertising of these products.

(2) 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", shall be permitted if compliant with the criteria stipulated in Guideline 13; Provided that statements other than the statements above mentioned, shall not be permitted.

(3) In the case of fish and other marine foods that are regulated in terms of the National Regulator for Compulsory Specifications Act, 2008 (Act 5 of 2008), the statement "wild" shall not be permitted unless it is qualified as "wild caught".

Irradiation

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

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

(3) When an irradiated food is used as an ingredient in another food, this shall be so declared in the list of ingredients.

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

Statements related to frozen food products

50. (1) Food products that were frozen and then thawed for subsequent sale-

(a) shall not be labelled "fresh"; and

(b) shall indicate the words "**PREVIOUSLY FROZEN**"-

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

(ii) on a poster placed in close vicinity of where the un-prepacked food is exhibited for sale, in clear view of and easily legible to the consumer, in black, bold letters of which the size is suitable for easy legibility.

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

(3) Food products which rely on chilling or freezing conditions for preservation, or semi- preserved food products, shall bear on the main panel of the label the expression "Keep refrigerated" or "Keep frozen", as the case may be, in letters not less than 3, 0 mm in vertical font height.

Vegetarian claims

51. A claim that a food is suitable for vegetarians shall specify the type/category of vegetarian by adding one or a combination of suitable prefixes to the word "vegetarian" (such as lacto-vegetarian). In the absence of a suitable prefix, the word "vegetarian" shall mean that all ingredients and additives (refer to Guideline 8) used in an end product are of multi-cellular plant, fungal, algal and bacterial origin and all ingredients and additives derived from animal origin are excluded.

NUTRITIONAL INFORMATION AND RELATED MATTERS

52. (1) Subject to regulation 64, nutritional information shall be mandatory on all food labels except food products produced for sale by a food home industry or unless otherwise indicated by these Regulations, and shall be presented on a label in the order and in the format stipulated in point 1 of Annexure 2: Provided that-

(a) the heading shall be "(Typical) nutritional information", where the word typical is optional in the case of imported foods;

(b) there is an indication of the mass or volume of a single serving directly beneath the heading or in the heading of column 3 of the Nutritional information Table;

(c) energy and the nutrients that are considered to be the minimum mandatory nutritional information are: energy, protein, glycaemic carbohydrate, total sugar, dietary fibre, fat, saturated fat, total sodium;

(d) (i) the minimum, mandatory nutritional information as per format stipulated in point 1 of Annexure 2, shall be provided per single serving and per 100 g for solid foods or 100 ml for liquid foods, as well as-

(ii) the information relevant to and for which a nutrition or health claim is made; Provided that irrespective of whether a nutrition, ingredient content or health claim for a food listed in the **Table 1** below is made or not, the nutrient indicated in column 1 need not be analysed for the foods listed in column 2 when sold as such, but could be indicated as trace or "<".

Table 1: MANDATORY NUTRITIONAL INFORMATION LABELLING: EXEMPTIONS

1	2
Pre-packed foods which are exempted from having to analyse for **glycaemic carbohydrate**	• Frozen fish offered for sale as a single ingredient food (without any added ingredients and additives) • Canned fish and marine products in water, brine or oil • Fresh eggs or egg powder which contains nothing other than dried egg • Clarified butter (Ghee) • Coconut, cotton seed, maize, olive, sunflower, palm kernel, palm fruit, peanut, soybean and canola cooking oils • Beef tallow, lard, chicken fat, mutton tallow and suet raw
Pre-packed foods which are exempted from having to	• Black, green, rooibos and honeybush tea, instant/brewed coffee • Beer and traditional African beer

1	2
analyse for **dietary fibre provided no purified non-starch polysaccharides (NSP) from fruit, vegetables and cereal plant material, Powdered cellulose (INS 460ii), Celluiose gum (INS 466), any prebiotic (novel fibres), cereal, bran has been added either as an ingredient or as an additive**	• Frozen fish offered for sale as a single ingredient food (without any added ingredients and additives) • Canned fish and marine products in water, brine or oil • Fresh eggs or egg powder which contains nothing other than dried egg • Clarified butter (Ghee), butter, margarines, fat spreads, mayonnaise and salad dressings • Cooking oils from vegetable origin and blends thereof • Beef tallow, lard, chicken fat, mutton tallow and raw suet • Jelly powders, hard-boiled and soft jelly-type sweets, marshmallow without coconut, plain white, milk and dark chocolate, sherbet, chewing gums • Meat, yeast or vegetable extracts as bread spreads, gelatine, herbs and spices sold as such • Meringue, plain, sold as such • Cheeses without seeds, herbs, fruit or vegetable pieces • Non-dairy tea and coffee creamers • Dairy milk (liquid and powder), sweetened, condensed dairy milk, unsweetened, evaporated dairy milk, plain dairy yoghurts
Subject relevant regulations related the iodization of table salt published under the Act, pre-packed foods which are exempted from having to analyse for the nutrients of the minimum mandatory nutritional information listed in Annexure 2 except for **total Sodium and iodine**	Table salt
Pre-packed foods which are exempted from having to analyse for the nutrients of the minimum mandatory nutritional information listed in Annexure 2 except for **total sugar**: The value for total sugar and glycaemic	Sugars and syrups

1	2
carbohydrate shall be the same and both shall be indicated.	
Pre-packed foods which are exempted from having to analyse for protein, glycaemic carbohydrate, total sugar, dietary fibre, fat, saturated fat, and total Sodium	• Tea (black, green, rooibos and honeybush), unless a claim is made • 100% Coffee, unless a claim is made • Herbs and spices

(2) (a) Subject to regulation 52(1)(d), the minimum, mandatory nutritional information shall always be presented in the tabular format as per point 1 of Annexure 2, except in cases where the size of the label is restricted by the physical size of the product and less than 900 mm^2 remains after the minimum requirements in terms of these regulations have been met, the nutritional information may be indicated in a linear format; and

(b) where more information than the minimum, mandatory nutritional information as per regulation 52(2)(a) above is provided voluntarily or as a result of a claim, the format as per point 2 in Annexure 2 shall be used.

(3) The appropriate unit of measurement shall appear behind the nutrient or energy value: Provided that –

(a) the energy content of the food shall always be declared in "kilojoules" or "kJ";

(b) the energy value shall be calculated using the prescribed, applicable conversion factor listed in point 3 of Annexure 2:

(c) The unit of measurement for the nutrients indicated in points 1 and 2 of Annexure 2 may not be altered to another unit of measurement;

(d) Total Sodium may be converted to Sodium Chloride and indicated as "salt" in the Table with Nutritional Information in which case both the total Sodium and salt shall be indicated in the Table with Nutritional information as follows:

Total Sodium .... mg/ Salt .... G; and

(e) the amount of each nutrient shall be declared by mass.

(4) The following information, when applicable, shall be provided beneath the table as a footer:

(a) In the case where a food is packed in a liquid medium and nutritional information is provided, 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-consume/end product or the product as packed/sold, whatever is appropriate.

(c) An indication of the method of analysis used to determine dietary fibre.

Transferring nutritional information from analysis reports to nutritional information table – rounding off of values

(5) Nutrient values, obtained as a result of analysis, when transferred from the laboratory analysis report to the nutritional information table for labelling purposes, may be rounded off according to generally accepted/common mathematical principles: Provided that-

(a) in the case of protein, any amino acids, dietary fibre, prebiotics, vitamins, minerals, bioflavonoids, carotenoids and omega-3 fatty acids, these values shall never be indicated in a manner that indicates more than analysed and, in the case of fat, any fatty acid excluding omega-3 fatty acids, *trans* fat, any sugar and sodium/salt, these values shall never be indicated in values less than analysed for;

(b) in the case of micro nutrients, where necessary, no more than two decimal points (0.00) may be indicated, and in the case of macro nutrients no more than 1 decimal point (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 "<" may be used to indicate the uncertainty about a precise value.

Tolerances for the purpose of the Typical Nutritional Information Table

(6) Permitted tolerances for nutrient declaration in the Nutritional Information Table shall comply with the requirements of Guideline 9.

Optional information for nutritional information table

(7) Nutrients for which an NRV value is indicated in Annexure 3 may voluntarily be expressed as a percentage of the NRV per single serving, in an additional column to the right of the mandatory format in point 1 and 2 of Annexure 2.

Verification of qualifying criteria

(8) For the purposes of verifying the validity of any nutrition or health claim, whatever may be applicable, against qualifying criteria in Table 2 of Regulation 54(16), Parts A and B, "Conditions for Nutrient Content Claims", the standard Nutrient Reference Value (NRV) of individuals from the beginning of 37 months and older as indicated in Annexure 3 shall apply.

Single serving sizes

(9) The indication of the mass or volume of a single serving shall be not more than the serving sizes indicated in Guideline 11, but may fall between the ranges indicated where applicable.

Formulation changes

(10) When the recipe of a food 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 shall be corrected without delay.

Special characteristics or properties

(11) No claim shall be made on the label of a food that the food has acquired nutritive value from nutrients, additives or substances added for technical or sensory reasons.

Claims which depend on another food

(12) No claim shall be made-

(a) that a food has a particular value or benefit if the value or benefit is derived fully or partly from another food that is intended to be consumed with the food in relation to which the claim is made, but is not in the container.

(b) No claim shall be made regarding any nutrient content, energy value or health benefit of a food or ingredient or substance not included in the container.

Source of nutritional information when a claim is made

(13) Subject to the general requirements of regulation 52, where an energy, nutrition, ingredient content or health claim is made-

(a) the nutritional information as required by these regulations shall be the real, typical values as determined by a reputable laboratory through chemical or microbiological 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 or ILAC;

(b) subject to regulation 52(1)(d)(ii), the nutritional information shall –

(i) be the minimum, mandatory, nutritional information as per point 1 of Annexure 2; plus

(ii) include the appropriate nutritional information of the nutrient which is the subject of the claim, indicated as per point 2 of Annexure; Provided the nutrient is not already listed as part of the minimum, mandatory nutritional information format;

(iii) be in accordance with the requirements and procedures of Guideline 9 and-

(aa) be representative of the product as typically produced;

(bb) be the result of analysis done in duplicate on a composite sample, made up of an appropriate number of samples according Guideline 9, gathered over a suitable period of time and from a reasonable number of batches, by a reputable laboratory, to provide a true representation of the product's nutritional value;

(cc) be based on a laboratory analysis report compiled by an reputable laboratory;

(dd) be verified at least once every ten (10) years by analysis and kept on record, unless formulation changes were made which necessitates re-analysis;

(ee) be analysed in accordance with the methods stipulated in these regulations or where no method is stipulated, by methods approved and recommended by Codex; and

(c) the manufacturer shall –

(i) compile a report on the details of how the sampling was conducted based on the Guideline 9;

(ii) keep the analysis report referred to in regulation 52(13)(a) on record, provide copies of the report to the importer and/or distributor; and

(iii) when presenting the samples to a reputable laboratory for analysis, inform the laboratory that the analysis is for labeliing purposes and that the laboratory report must include the information requested in point 3 of the Guideline 5.

Source of general nutritional information when no claim is made

(14) Subject to the general requirements of regulation 52, where nutritional information is provided on the label in the absence of a health or nutrition claim the following information source(s) may be used:

(a) Labelling in the case of single ingredient foods

(i) Analytical data obtained from the Supplier Ingredient Information file referred to in Guideline 1;

(ii) Chemical analytical from a reputable analytical laboratory; or

(iii) Nutritional information from the latest edition of the USDA Food Composition Tables could be used.

(b) Labelling in the case of combined dishes

(i) Analytical data obtained from the Supplier Ingredient Information file referred to in Guideline 1;

(ii) Chemical analysis by a reputable laboratory; or

(iii) Recipe calculations.

The nutrient content of combined dishes can be based on recipe calculations using the analytical nutrient values of the individual recipe ingredients, such as the values of single ingredient agricultural commodities and other recipe ingredients, such as cake flour. The nutrient values for these single ingredient commodities and recipe ingredients should be taken from reputable food composition tables or analytical data. Appropriate methodology should be applied for the calculation of the nutrient content of the dish. When the calculation is based on raw recipe ingredients, provision should be made for yield and retention factors, where applicable.

(c) In the case where the glycaemic carbohydrate value is calculated by difference; the values for total sugars will have to be analysed or imputed from other sources:

(d) Available carbohydrate = 100 g – [moisture (g) + protein (g) + fat (g) + dietary fibre (g) + alcohol (g) + ash (g) + sugar alcohols (polyols)]

Foods marketed for a limited time annually for special occasions

15. Foodstuffs marketed for a limited period of time annually, not exceeding 6 weeks, and which have been prepared for a specific periodic religious dietary observance, shall be exempted from providing nutritional information on the label; Provided that-

(a) the particular religious occasion is clearly indicated on the label thus requiring special packaging; Provided that such packaging shall not also carry promotional messages of any kind, such as discounts, free content, competitions or related activities of a similar nature, whether or not such activities are valid or applicable within the Republic of South Africa;

(b) no energy, health, ingredient content or nutrition claims for these foods are made; and

(c) this exemption shall not be valid for those products which are also indicated for a particular religious occasion but which are nevertheless available all year round with such an indication.

ENERGY, NUTRITION, INGREDIENT CONTENT AND HEALTH CLAIMS

General information, conditions and other related matters

53. (1) No nutrition, ingredient content or health claim which are not addressed in these regulations, shall be permitted to appear on food labels or in any advertisement or promotion thereof.

(2) Generic names, brand names or trade-mark names fall within the scope of these Regulations and may thus not be used to mislead consumers in any way with regards to the generic or specific nutritive properties or generic or specific health-giving properties, through a play with words or part(s) of words which could be interpreted as or related to a nutrition, ingredient content or health claim, unless the food with such name is eligible according to the Nutrient Profiling Model to make a nutrition, ingredient content or health claim as well as comply with the relevant criteria for that category of claims that are implied by the name, brand names or trade-mark name.

(3) Where nutritional information about a particular nutrient or substance, is provided in the Nutritional Information Table, but no health, ingredient content or nutrition claim is made outside the Table on the label, such information would not be considered a claim; Provided that-

(a) should certain information be emphasized in any manner in the nutritional information table or the list of ingredients or anywhere else on the label, such as through 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 shall be considered that a claim is made for that/those particular nutrient(s); and

(b) the substance is not a scheduled substance, regulated under the Medicines and Related Substances Act, 1065 (Act No.101 of 1965).

Nutrition, ingredient content and health claims on Foods for Infants and Young Children

(4) No nutrient, substance, ingredient content or health on foods intended for infants and young children shall be permitted unless provision is made to do so by the Regulations for Foods for Infants and Young Children published under the Act.

Food Fortification

(5) Food vehicles, as defined by the latest update of the Regulations Related to Food-grade Salt and the Regulations Relating to Fortification of Certain Foods, published under the Act, shall bear the minimum mandatory nutritional information declaration as described in point 1 of Annexure 2, expressed per daily serving and per 100 g, as well as nutritional

information relevant to the fortification specifications according to the example, as and where applicable, in point 2 of Annexure 3: Provided that -

(a) in the case of dry, uncooked wheat flour and dry, uncooked maize meal as purchased, the daily serving shall be regarded as 100 g;

(b) subject to regulation 52(1), in the case of iodated table salt for retail sale, the nutritional information related to the Sodium and Iodine content, per 5 g (teaspoon) and 100 g, shall be provided in the Nutritional Information Table.

(c) No further nutrition, ingredient content or health claims shall be permitted for the nutrients implicated by the various regulations related to food fortification or the concept of fortification other than providing the prescribed nutritional information as stipulated above.

Food Enrichment

(6) Subject to regulations 53(7) and 53(11)-

(a) only the essential nutrients listed in the table below, may be added to a food which require a list of ingredients for the purpose of improving the nutritional properties of a food:

Nutrient	**Maximum amount that may be added to a food per single serving**	**Minimum amount that may be added for the purpose of enrichment per single serving**
Water soluble vitamins	100 % NRV	15% NRV
Fat soluble vitamins	60 % NRV	15% NRV
Minerals/trace elements	30 % NRV	15% NRV

(b) no enrichment with any of the nutrients listed in the table above or any other macro-nutrient, shall be permitted for a raw-processed poultry meat and meat of other animals and birds referred to in Schedule 1 of the Meat Safety Act, 2000, (Act No. 40 of 2000);

(c) the added vitamin or mineral intended for the purpose of enrichment shall be one of the approved compounds according to the Codex document "Advisory Lists of Nutrient Compounds for Use in Foods for Special Dietary Uses intended for Infants and Young Children".

Nutrient Profiling

(7) No food offered for sale in any manner, whether pre-packed, non-packed or ready-to-consume, shall make any energy, nutrition, ingredient content or health claim, unless -

(a) the food successfully qualifies with the screening criteria of the Nutrient Profiling Model, using the electronic calculator on the webpage of the Directorate: Food Control on the website of the Department of Health, namely **www.doh.gov.za** or **www.health.gov.za**;

(b) the food complies with the criteria particular to the specific claim, as addressed and permitted by these regulations; and

(c) the food complies with the requirements of regulation 53(11).

Packaged water

(8) No energy, nutrition, ingredient content or health claim or any other claim with a nutrition or health related message shall be permitted for packaged water, except the following Food Based Dietary Guideline for water: "Drink lots of clean safe water" or "Drinking lots of clean safe water every day is best for your health".

Front of pack (FOP) labelling

(9) Front of pack labelling shall be considered voluntary information, but when FOP is declared on a label, it shall comply with the following conditions:

(a) FOP shall not be used to replace the mandatory (Typical) Nutritional Information Table in Annexure 2, but may be used in addition to it;

(b) FOP, when used, shall contain all of the following information in column 1 of the table below, expressed per single serving, unless otherwise stipulated in column 2; Provided FOP shall be considered illegal if only one of the nutrients listed below is used, unless it is permitted to be left out as indicated below:

1	2
	Food categories exempted from having the nutrient or energy indicated in column 1 declared as a FOP
Energy in kJ	Teas (leaves or bags), table salt,
Total sugar in g	Fats and oils, table salt
Fat in g	Table salt, sugar(s), carbonated non-alcoholic beverages
Saturated fat in g	Table salt, sugar(s), vinegar and carbonated

1	2
	Food categories exempted from having the nutrient or energy indicated in column 1 declared as a FOP
	non-alcoholic beverages
Total Sodium in mg or Salt equivalent in g	Sugar(s), vinegar

(c) Irrespective of whether an energy, nutrition, ingredient content or health claim is made or not, where the food contains energy or a nutrient listed in column 1, in an amount more than what the criteria stipulate for the claim "low in" in Table 2 of Regulation 54(15), the particular nutrient or energy and its amount per serving shall be declared in bold black letters against a red (Pantone 485 [100m, 100y]) background;

(d) Irrespective of whether an energy, nutrition, ingredient content or health claim is made or not, where the food contains a nutrient or energy listed in column 1, in an amount less than or equal to what the criteria stipulate for the claim "free from" in Table 2 of Regulation 54(15), the particular nutrient or energy and its amount per serving shall be declared in bold black letters against a light green (Pantone 390 [45c, 100y]) background, and any value between red and green for a nutrient or energy shall be declared in bold black letters against a light yellow (Process yellow [100y]) background;

(e) The nutritional information referred to above shall be expressed per single serving;

(f) FOP labelling shall not be used for any nutrients other than the ones listed in paragraph (b) above;

(g) The use of FOP is subject to regulation 53(11); and

(h) FOP, when used, shall be indicated on the main panel of the label.

Use of the South African Food Based Dietary Guidelines

(10) The following Food Based Dietary Guidelines statements as indicated in Guideline 10, may when used,-

(a) only be used exactly as quoted in the table below;

(b) only be used when the food passed the Nutrient Profiling screening process successfully;

(c) be relevant and appropriate for the food group and type of product on which it is used, guided by the examples in Guideline 10;

(d) comply with the requirements of these regulations in general where and when applicable; and

(e) comply specifically with Regulation 53(11) below.

Foods containing any added fructose, added non-nutritive sweeteners, added fluoride, added aluminium or added caffeine in any form

(11) Notwithstanding the content of Regulation 42 no food which contain added fructose, added non-nutritive sweeteners, added fluoride or added aluminium through an additive or ingredient or added caffeine as such, shall be permitted to make any energy, nutrition, ingredient content or health claim; neither shall it be eligible to carry any endorsement logo(s) concerning health, ingredient content, nutrition, public health or reduction of risk for the development of non-communicable disease matters.

Fake foods

(12) No fake food or beverage shall make any energy, nutrition, ingredient content, health or substance claim.

Cosmetic claims

(13) Any claim related to any cosmetic effect or the use of the word beauty in any context related to physical beauty, in terms of any food, ingoing ingredient or substance, shall, unless specifically addressed by these Regulations, be considered an illegal health claim.

Claims represented through pictures

(14) No energy, nutrition, ingredient content or health claim shall be made through pictures, logos or any other visual, non-textual marketing in any manner.

NUTRITION CLAIMS

Energy, nutrient, ingredient and other content-related claims

54. (1) No claim that describes the level of a nutrient contained in a food or the energy provided by the food, shall be made on a label or in an advertisement of a food, unless it complies with conditions set out in Table 2 of regulation 54(16) (PARTS A and B);

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

(3) No nutrient content claim shall be worded in any other way than the stipulated wording as specified in column 2 of Table, Parts A and B.

(4) No person shall use words such as "good source" or "enriched" or "enriched with (name of nutrient)" or any similar wording in relation to the nutrients mentioned in Table 2

of Regulation 54(17) as a substitute for the prescribed wording options for claims in column 2 of Table 2, Part B.

(5) No person shall use words such as "X% fat free" (or any other nutrient referred to in Part A of Table 2, free, where X referred to any percentage, or any similar wording, as a substitute for the prescribed wording options in Table 2, Part A.

(6) In the case where a mineral is added to a food, the name of the compound from which the elemental mineral was derived shall be listed in the list of ingredients such as Iron Oxide. The name of the elemental mineral only shall be mentioned in the appropriate table with nutritional information such as Iron.

(7) Vitamins and minerals which are present, either naturally or added, in amounts of less than 5% of the NRV for individuals from the beginning of 37 months and older as referred to in Annexure 3 per single serving, shall not be declared in the nutritional information table, except in the case of food vehicles and packaged water; Provided where vitamins and/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 shall be allowed. Where vitamins and/or minerals are present in significant amounts of 15% or higher per serving, the below table can be consulted for whether the said vitamins and/or minerals may be listed in the table; whether claims would be allowed; and 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
15% - < 30%	Yes – "source of" or "contains" or "with added"	Yes
30% or more	Yes – "high in"	Yes
60% or more	Yes – " very high in" or "excellent source"	Yes

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

(9) For the purposes of the conditions for nutrient content claims, foods such as soups (excluding, consommés and bouillons), reconstituted canned soups and reconstituted

soup powders, custard, sauces (excluding marinades), chutney, yoghurt and thick smoothie type beverages, dairy cream, shall be considered solids.

Dietary fibre claims

(10) (a) Subject to applicable conditions in Table 1, the analytical values for dietary fibre content shall 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 shall be indicated beneath the Nutritional Information 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 shall correspond with the applicable criteria in Table 2, Part B;

(ii) in the case where dietary fibre is obtained from edible carbohydrate polymers naturally occurring in the food as consumed or an ingredient from edible plant origin, and the analytical method also measures non-carbohydrate components such as lignin which is naturally associated with the polysaccharides in plant cell walls and no additional non-carbohydrate components were extracted and reintroduced into the food at any stage, these non-carbohydrate components shall be considered part of dietary fibre; Provided that any Maillard reaction products shall, if present, be quantified and subtracted from the total to obtain the correct value for dietary fibre;

(iii) in the case where dietary fibre is obtained from edible carbohydrate polymers naturally occurring in the food as consumed or food raw plant material, by physical, enzymatic or chemical means, and the analytical method measures non-carbohydrate components such as lignin which is naturally associated with the polysaccharides in plant cell walls and these non-carbohydrate components were not extracted and reintroduced into the food at any stage, these components shall be considered part of dietary fibre; Provided that any Maillard reaction products shall, if present, be quantified and subtracted from the total to obtain the correct value for dietary fibre value;

(iv) In the case of dietary fibre obtained from food raw plant material by physical, enzymatic or chemical means, synthetic carbohydrate polymers or purified non-starch polysaccharides such as powdered cellulose (INS 460ii) and cellulose gum (INS 466),and fractions of lignin and/or other compounds naturally associated with polysaccharides in the plant cell walls are extracted and reintroduced into a food at any stage, as well as food processing artefacts such as Maillard reaction products, and the analytical method measures these non-carbohydrate components or

Maillard reaction products as well, the amount of these aforementioned components are not considered part of dietary fibre and should be quantified and subtracted from the total to obtain the correct value for dietary fibre.

(aa) Subject to the conditions of Regulation 54(10)(a)(i) to (iv) above, dietary fibre that are obtained from food raw plant material by physical, enzymatic or chemical means, synthetic carbohydrate polymers or purified non-starch polysaccharides such as powdered cellulose (INS 460ii) and cellulose gum (INS 466), and not from edible carbohydrate polymers naturally occurring in the food as consumed or an edible ingredient from plant origin, shall not be used.

(bb) Subject to Regulation 54(10)(a)(iv), where purified fibre is used, it shall be indicated as follows in the list of ingredients: "...purified dietary fibre (NSP) (from [source e.g. pea]).

(b) Subject to all the conditions stipulated in Regulation 54(10), any suitable method as indicated in the Guidelines to measure dietary fibre may be used.

Protein claims

(11) No claim shall be made on the label of a food regarding the protein content of that food, unless the following requirements are complied with:

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

(b) the food provides protein quality of which the analysed amino acids of the food, shall contain at least 100% of each of the amino acids as per the reference amino acids pattern listed in Annexure 5.

Fatty acid content claims

(12) In addition to the conditions of Table 2, Parts A and B, where a nutrient content claim is made-

(a) regarding the amount of fat or the amount and/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 shall be indicated in the table with nutritional information, immediately after the declaration of fat:

Fat	...g
of which saturated fatty acids	...g
polyunsaturated fatty acids	...g
monounsaturated fatty acids	...g
Cholesterol	...mg

Omega-3 fatty acid claims

(b) for claims particularly on omega-3 fatty acids, all the omega-3 fatty acid(s) shall be-

(i) specified, and

(ii) the real analytical values of all the following fatty acid components shall be indicated in the table with nutritional information, immediately after the declaration of fat:

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

Content claim for antioxidants

(13) (a) Subject to the requirements of these regulations, no content claim for an antioxidant as nutrient shall be made other than for the antioxidants listed in Table 2.

(b) No generic claim, generic reference on a label or in advertising about the presence of an "antioxidant" in a food shall be made unless the antioxidant is identified by the specific name of the substance with antioxidant properties, followed by the word "antioxidant" (e.g. "Vitamin C (Antioxidant)"); Provided that the minimum amount of the particular antioxidant present in a single serving is not less than 30% or 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, shall be considered the minimum amount per single serving.

(c) No generic reference to the ORAC score in any manner shall be made about an "antioxidant" naturally present in or added to a food.

Ingredient content claims

(14) The following ingredients or ingredient statements or similar words or phrases/statements are considered nutrient content claims and shall be subjected to the same conditions applicable for nutrient claims unless otherwise indicated:

(a) In the case of meat: Trimmed fat from meat, trim, lean, extra lean or similar words or statements

In the case of minced meat and fresh, raw-processed meat and poultry cuts the conditions for the following claims as an indication of fat content are as follows and the percentage fat only needs to be indicated on the scale label:

Lean, trim or trimmed of fat or any similar wording	≥ 5 to ≤ 10% of fat as analysed
Extra lean, extra trim or any similar wording	≤ 5% of fat as analysed

Non-addition claims for sugar(s)

(b) (i) Claims regarding the non-addition of sugars to a food such as "no sugar added" or "no added sugar" or other words with a similar meaning, shall not be made on the label of a food that contains "added sugars" defined by these regulations; Provided that in the case of the class fresh fruit or vegetable juice, as defined by relevant regulations under the Agricultural Products Standards Act, 1990 (Act No.119 of 1990), only fresh, single fruit juice or fresh, single vegetable juice shall be eligible to make the claim "no sugar added" or "no added sugar".

(ii) Any other fruit or vegetable juice or blend thereof, which are adjusted or blended with another fruit juice, or fruit juice concentrate or any other added sugar in order to comply with a certain sweetness (brix) requirement by relevant regulations under the Agricultural Products Standards Act, 1990 (Act No.119 of 1990), shall be considered not eligible to make the claim.

(iii) Claims regarding the non-addition of sugars to a food may be made provided the following conditions are met:

(aa) the food contains no ingredients that contain sugars as part of an ingredient such as, but not limited to jams, jellies, sweetened chocolate, sweetened fruit pieces; and

(bb) the sugar content of the food 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.

Polyols or Sugar alcohols

(c) (i) When a sugar alcohol or polyol is used as a sweetener in a food-

(aa) the relevant nutritional information shall be indicated in the space provided for it in the Nutritional Information Table as per point 2 of Annexure 2; and

(bb) the food qualifies for a claim "sugar-free", the statement "Not an energy-free food" shall appear directly beneath the claim.

(ii) A food containing polyols in excess of 50 g/kg of the end 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 250 g/kg.

Non-Addition of Sodium salts

(d) Claims regarding the non-addition of sodium salts to a food, including "no added salt", may be made provided the following conditions are met:

(i) the food contains no added sodium salts;

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

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

Content claims for "reconstituted whole grain" and "partially whole grain"

(e) An ingredient content claim which refers to "whole grains" in any manner shall be permitted provided the following requirements are complied with:

(i) in the case where reconstituted or partially whole grain is used in the food, the claim "whole grain" shall be preceded by the word "reconstituted" or partially" whatever the case may be; and

(ii) the percentage quantitative ingredient declaration (QUID), as well as the Glycaemic Index category shall be indicated as part of the content claim as follows:

"A (QUID) % reconstituted/partially whole grain, ([category] GI) food".

Content claims for prebiotics

(f) In order to make a content claim about any prebiotic-

(i) the food shall have at least 2 mg pure prebiotic per single serving (solids and liquids);

(ii) the prebiotic is one or a combination of the following prebiotics:

(aa) trans-galactooligosaccharide;

(bb) inulin;

(cc) oligofructose;

(dd) fructooligosaccharides (FOS);

(ee) xylooligosaccharides (XOS);

(ff) polydextrose; or

(gg) galactooligosaccharides (GOS); and

(iii) the type of prebiotic(s) and the source thereof in brackets shall be declared in the list of ingredients and the amount thereof shall be declared in the Nutritional information table in the designated place according to point 2 of Annexure 2.

(15) In addition to the requirements, where applicable, of regulation 54 the following conditions for nutrient content claims shall be applicable:

TABLE 2: CONDITIONS FOR NUTRIENT CONTENT CLAIMS, PART A

COMPONENT *Part A*	CLAIM	CONDITIONS *NOT MORE THAN*
1	2	3
Energy	Low	170 kJ per 100 g (solids*) 80k J per 100 ml (liquids*)
	Virtually free or free from	17 kJ per 100 ml (liquids*)
Fat	Low	3 g per 100 g (solids*) 1.5 g per 100 ml (liquids*)
	Virtually free or free from	0.5 g per 100 g/ml
Saturated fat	Low	1,5 g per 100 g (solids*) 0,75 g per 100 ml (liquids*) and for both solids and liquids, not more than 10% of energy
	Virtually free or free from	0,1 g per 100 g (solids*) 0,1 g per 100 ml (liquids*)
Cholesterol	Low	20 mg per 100 g (solids*) 10 mg per 100 ml (liquids*)
	Virtually free or free from	5 mg per 100 g (solids*) 5 mg per 100 ml (liquids*) and for both claims, low and free of, less than: 1.5 g saturated fat and trans fat combined per 100 g (solids) or 0,75 g saturated fat per 100 ml (liquids) and 10% ** of energy from saturated fat
Sugars (Mono – and disaccharides) and lactose	Virtually free or free from	0,5 g per 100g/ml*
Sodium	Low	120 mg Na per 100 g* (equals 305 mg NaCl)
	Very low	40 mg Na per 100 g* (equals 102 mg NaCl)
	Virtually free or free from	5 mg Na per 100 g* (equals 13 mg NaCl)
Alcohol	Non-alcoholic	1.2 % by volume*
	Virtually free or free from	0.05 % by volume*
Caffeine	Free from	5 mg per kg

* refers to end product
** percentage expressed per total energy of end product

TABLE 2: CONDITIONS FOR NUTRIENT CONTENT CLAIMS, PART B

COMPONENT *Part B*	CLAIM	CONDITIONS *NOT LESS THAN**
1	2	3
Energy	"Source of"	80 kJ per 100 ml
	"High in"	950 kJ per 100 g or 250 kJ per 100 ml
Carbohydrate	"High in"	13 g per 100 g or 6,5 g per 100 ml
1. Dietary Fibre (as measured by the latest update of the Englyst method as stipulated in the table in Guideline 1)	"Source of" or "contains" or "with added"	2.4 g per 100 g (solids) 1.2 g per 100 ml (liquids)
	"High in"	4.8 g per 100 g (solids) 2.4 g per 100 ml (liquids)
	"Very high in" or "excellent source"	9.6 g per 100 g (solids) 4.8 g per 100 ml (liquids)
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 100 g (solids) 1.5 g per 100 ml (liquids)
	"High in"	6 g per 100 g (solids) 3 g per 100 ml (liquids)
	"Very high in" or "excellent source"	12 g per 100 g (solids) 6 g per 100 ml (liquids)
Protein	"Source of" or "contains" or "with added"	5 g per 100 g (solids*) 2,5 g per 100 ml (liquids*) and for both solids and liquids.2,5 g per 418 kJ
	"High in"	10 g per 100 g (solids*) 5 g per 100 ml (liquids*) and for both solids and liquids,5 g per 418 kJ
Polyunsaturated fatty acids (PUFA's)	"Source of" or "contains" or "with added"	≥ 45 % ****PUFA's and Polyunsaturated fatty acids provides more than 20 % of energy of the end product 0.g *Trans* fatty acids
	"High in"	≥ 60 % ****PUFA's and Polyunsaturated fatty acids provides more than 20 % of energy of the end product 0.g *Trans* fatty acids
Monounsaturated fatty acids (MUFA's)	"Source of" or "contains" or "with added"	≥45 % **** MUFA's and Monounsaturated fatty acids provides more than 20 % of energy of the end product 0.g *Trans* fatty acids
	"High in"	≥60 %**** MUFA's and Monounsaturated fatty acids provides more than 20 % of energy of the end product 0.g *Trans* fatty acids
Omega-3 fatty acids	"Source of" or "contains" or "with added"	75 mg per single serving
	"High in"	150 mg per single serving
	"Very high in" or "excellent source"	300 mg per single serving
Vitamins and minerals excluding potassium# and sodium	"Source of" or "contains" or "with added"	15 % of NRV** per serving
	"High in"	30 % of NRV** per serving

COMPONENT *Part B*	CLAIM	CONDITIONS *NOT LESS THAN**
1	2	3
	"Very high in" or "excellent source"	60 % of NRV** per serving
Carotenoids:		
Beta-carotene	"Source of" or "contains" or "with added"	0.5 mg per 100 g
	"High in"	2 mg per 100 g
Lycopene	"Source of" or "contains" or "with added"	0.5 mg per 100 g**
	"High in"	2 mg per 100 g***
Lutein	"Source of" or "contains" or "with added"	0.5mg per 100 g
	"High in"	2 mg per 100 g
Zeaxanthin	"Source of" or "contains" or "with added"	0.1 mg per 100 g
	"High in"	0.5 mg per 100 g

* refers to end product

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

*** Wet weight

**** of total energy from fat

The claims ("source of" and "high in"), shall only be permitted for potassium *naturally* present in foods: Provided the nutrition information table indicates both the sodium and potassium content.
Nutrient and health claims for Vitamin $K_{(1 \text{ and } 2)}$ may only be made for natural occurring Vitamin K_1 or K_2 and not where Vitamin K_1 or K_2 was added to a food.

Comparative claims

55. (1) No claim which compares the fat, saturated fat, cholesterol, total sugar, total sodium, energy value or alcohol level of two or more similar foods by using one of the following words or a similar word "reduced", "less than", "fewer", "light", "lite", shall be made on the label or in an advertisement of a food, unless the following conditions are complied with:

(a) the foods being compared are different versions of the same or similar foods; and

(b) the foods 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 food to which the food is being compared, appears in close proximity to the comparative claim.

(c) the comparison is based on a relative difference of at least 25% in the energy value, nutrient or alcohol content of an equivalent mass or volume (refer to Guideline 12 for examples of how the percentage of difference can be calculated);

(d) the food 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(s), energy or alcohol content of both foods;

(e) the following information shall be stated in the claim:

(i) the specific nutrient(s) mentioned in regulation 55(1) above and/or energy and/or alcohol content, whichever relate(s) to the comparison;

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

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

(2) A comparative claim such as "more than", "increased" or that directly or indirectly compares the micronutrient content of a food with that of another food is prohibited for physiologically beneficial nutrients such as vitamins, minerals, bioflavonoids, carotenoids or other beneficial food constituents, except for the cases mentioned in regulation 55(6) below.

(3) A comparative claim shall not be allowed for foods for which compositional standards exist under the Agricultural Products Standards Act, 1990 (Act No.119 of 1990) and the National Regulator for Compulsory Specifications Act, 2008 (Act No.5 of 2008), unless specific provision is made in these standards to accommodate comparative claims.

(4) Foods for which a class or category name exists under the Agricultural Products Standards Act, 1990 (Act No.119 of 1990) and the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008), in which words that could indicated a comparative or nutrient content claim and which are listed in Guideline 12 shall not be regarded as a comparative or a nutrient content claim.

(5) Notwithstanding the requirements of regulation 55(1)(c), a food that is required by the Regulations Relating to the Reduction of Sodium in Certain Foodstuffs, published under the Act, to reduce the Sodium content of certain foods according to certain targets by specified dates, may use the following statement if compliant with the aforementioned Regulations' targets and dates of implementation: "Reduced Sodium according to national goals of (year) in the public's interest to lower blood pressure".

(6) In the case of single ingredient agricultural food crops or produce, notwithstanding the requirements of regulations 55(1)(c) and 54(7), in cases of where improved nutritional properties were achieved though agricultural practices, excluding the addition of nutrients through enrichment or fortification, the percentage difference in increase of the particular nutrient in the nutritionally enhanced single ingredient agricultural food crop or produce, compared to the conventional crop or produce, shall be clearly indicated on the label in a mandatory statement that shall 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).

HEALTH CLAIMS

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

56. (1) The glycaemic index category claim shall, if 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 shall not include any method whereby a glycaemic index value is calculated to determine its category.

(2) A glycaemic index category and/or a glycaemic load claim shall only be applicable for a food with-

(a) a glycaemic carbohydrate content of 50% or more of the total energy value of the food; Provided that no fructose is added to the food;

(b) a fat content less than 30% of the total energy value of the food; and

(c) a total protein content less than 42% of the total energy value of the food.

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

Table 3: CONDITIONS FOR GLYCAEMIC INDEX CATEGORY/RANKING FOR THE PURPOSE OF GI AND/OR GL CLAIMS

GI CATEGORY CLAIM	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 and more

(4) A glycaemic load (GL) claim is permissible only if-

(a) the glycaemic index category is indicated as well;

(b) the GL is calculated according to the formula as defined in Regulation 1; and

(c) the information is expressed per single serving, in numerical form, directly underneath the GI category in the Nutritional Information Table.

(5) When the formulation of a food carrying a GI category claim is changed, the reformulated food may not make a GI category claim unless the new formulation was re-tested in order to legitimise the new GI category claim.

Glycaemic Index claims

(6) When a food passes the screening test of the Nutrient Profiling Model and is subsequently, in principle, eligible for a nutrient or health claim and comply with all the criteria of Regulation 56,-

(a) and has a high or intermediate GI value, no claim that conveys in any manner the health benefits associated with the concept of low glycaemic index, sustained energy, slow release, slow absorption, slowly digestible carbohydrate or wording conveying a similar message in any manner, shall be made or be endorsed by any organisation that in terms of Regulation 16(1)(a)(ii), promotes the reduction of risk for non-communicable diseases; and

(b) a food may, when appropriate, use the following prescribed wording in support of a relevant GI category as appropriate:

(i) "Low GI": "Low GI foods, when eaten regularly in moderate portions at a time, generally provide a slow release of energy, improve blood glucose control, may elicit a higher feeling of satiety and may decrease the risk of non-communicable diseases in the long term."; Provided that the claim "sustained energy" or similar wording is reserved for low GI foods only;

(ii) "Intermediate GI": "intermediate GI foods generally provide a moderately fast release of energy and are ideal for diabetic individuals after exercise lasting at least one hour, or as a special treat."; or

(iii) "High GI": "High GI foods generally provide a fast release of energy and are preferable in smaller portions but ideal for regular sportsmen after exercise lasting at least one hour."

Function claims

57. (1) A function claim may be made for the nutrients or substances 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 shall be permitted; and

(b) not all the claims listed per nutrient or substance need necessarily be used at all times.

(2) A function claim shall not be permitted-

(a) for vitamins and minerals for which an 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 below; and

(c) in both cases (a) and (b) above, the food shall contain, per single 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 below, 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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) 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	Betaine contributes to normal homocysteine metabolism	The claim may be used only for food which contains at least 500 mg of betaine per single 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 1.5. g of betaine; 2. that the daily intake in excess of 4 g may significantly increase blood cholesterol levels; and 3. name additionally at least three of the following foods that naturally contains betaine: shellfish, spinach, wheat germ and bran, sugar beets.
Biotin	• Biotin is necessary to normal fat metabolism 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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	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. • 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 needed for healthy bones.	
Calcium	• Calcium is necessary to maintain healthy bones and teeth • Calcium is necessary for normal nerve and muscle function / is 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	

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Choline	• Choline contributes to normal homocysteine metabolism • Choline contributes to normal lipid metabolism • 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.	The claim may only be used for food which contains at least 83 mg of choline per single serving of food
Chromium	• Chromium contributes to normal macronutrient metabolism • Chromium contributes to the maintenance of normal blood glucose levels • Chromium is vital in synthesis of cholesterol, fats and proteins.	
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	• Co-enzyme Q10 naturally present in the food
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 / contributes to normal energy-yielding metabolism • 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	

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	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 • Copper is involved in taste sensitivity	
Soluble 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.	
Insoluble 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 food which contains at least 300 mg 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
Linoleic acid (LA)	Linoleic acid contributes to the maintenance of normal blood cholesterol levels	The claim may be used only for a food which provides at least 1.5 g of linoleic acid (LA) per 100 g and per 418 kJ simultaneously. Information shall be given to consumers that the beneficial effect is obtained with a daily intake of 10 g LA
Docosahexaenoic acid (DHA)	• Docosahexaenoic acid or DHA contributes to maintenance of normal brain function • Docosahexaenoic acid or DHA contributes to the maintenance of normal vision	• The claim may be used only for food which contains at least 80 mg DHA per 100 g and per 418 kJ simultaneously. • In order to bear the claim, information shall be given to the consumer on the label and in advertising that the beneficial effect is obtained with a daily intake of 250 mg of DHA.
Eicosapentanoic acid (EPA) and	The omega-3 fatty acids EPA and DHA contribute to the normal function of the heart	• The claim may be used only for food which contains at least 80

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
Docosahexaenoic acid (DHA) (but not omega-3 in general)		mg DHA per 100 g and per 418 kJ simultaneously. • In order to bear the claim, information shall be given to the consumer on the label and in advertising that the beneficial effect is obtained with a daily intake of 250 mg of EPA and 250 mg DHA per day
Unsaturated and/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	Food 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. Oleic acid is an unsaturated fatty acid	• At least 70 % of the fatty acids present in the product shall be derived from unsaturated fat; and • Unsaturated fat provides more than 20 % of energy of the product.
Foods 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 food 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 • 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	

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	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 • 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	
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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) 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 food which contains 10 g of lactulose in a single serving. In order to bear the claim, information shall be given to consumers that the beneficial effect is obtained with a single serving of 10 g 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 • 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 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 • 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	

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	enzyme activity, especially those enzymes involved in energy production	
Manganese	• Manganese is necessary for normal bone formation, the formation of cartilage and 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 • Molybdenum aids in activation of certain enzymes • Molybdenum supports bone growth and strengthening of teeth	
Niacin	• Niacin is necessary for normal neurological function / contributes to normal functioning of the nervous system • Niacin is necessary for normal energy release from food / 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	
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 5 mg of hydroxytyrosol and its derivatives (e.g.. oleuropein complex and tyrosol) per 20 g (=22 ml) of olive

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
		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 20 g (=22 ml) 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 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	
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 food naturally contains no less than 200 mg of potassium per serving
Prebiotic	• Prebiotics such as [name of specific prebiotic] beneficially affects the intestinal flora by	• The foods shall have at least 2 mg pure prebiotic per single

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	selectively stimulating the growth of the good/ beneficial gut flora/micro-organisms / positively affects intestinal health; and • An average of 6 g prebiotics is needed daily for general digestive health	serving; • The prebiotic shall be one or combination of the following prebiotics: • trans-galactooligosaccharide; • inulin; • oligofructose; • fructooligosaccharides (FOS); • xylooligosaccharides (XOS); • polydextrose; or • galactooligosaccharides (GOS).
Protein	• Protein helps build and repair body tissues / is necessary for tissue building and repair • Protein contributes to the maintenance of muscle mass	
Selenium	• Selenium is necessary for normal immune system function • 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	• Vanadium is needed for cellular metabolism and plays role in growth and bone and teeth formation. • Vanadium plays a role in reproduction. • Vanadium inhibits cholesterol synthesis. • Vanadium has the ability to improve insulin	

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	utilization, resulting in improved blood sugar tolerance	
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 • 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 food 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 • 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 food / helps the body change the food you eat into energy. • Riboflavin contributes to normal skin and mucous membrane structure and 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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• 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 • 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 food you eat into energy. • 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	
Vitamin B_{12}	• Vitamin B_{12} is necessary for normal cell division /	

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	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 • 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 food / helps with the absorption of iron from food / 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 • 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	

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• Vitamin C contributes to normal collagen formation for the normal function of skin • 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 • 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 • 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	

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	antioxidant thereby keeping cells healthy • 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
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 food shall contain at least 10^8 cfu per gram • The claim shall be 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 • 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	

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 AND/OR RESTRICTIONS AND/OR ADDITIONAL STATEMENT(S) OR WARNING(S) TO APPEAR ON THE LABEL AND IN COMMERCIAL MARKETING
1	2	3
	• 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 • 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 and increases the absorption of vitamin A	

Reduction of disease risk claims

58. The following reduction of disease risk claims that link the consumption of a food or a food constituent in the context of the total diet to the reduced risk of developing a disease or a health related condition, shall be permitted for foods, provided-

(1) the conditions set out in Table 5, are met:

(2) The food shall comply with the characteristics specified in column 3; and

(3) (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.

TABLE 5: REDUCTION OF DISEASE RISK CLAIMS

CLAIM NO	NUTRIENT/DIET RELATED TO DISEASE RISK	FOOD CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
1	2	3	4
1.	**Calcium and Osteoporosis**	• At least 290 mg calcium naturally present in the food per serving • At least 30 mg magnesium per 100 g food • 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 200 mg calcium naturally present in the food per serving • At least 15 mg magnesium per 100 g food • 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**	Food shall be low in sodium	Diets low in sodium may reduce the risk of high blood pressure, a disease associated with many risk factors, in some individuals
4.	**High intake of Fruits, vegetables and a reduced risk of coronary heart disease and cancer**	• Fresh, dried, canned and frozen fruit, vegetables which contains no less than 90% fruit or vegetables by weight • Claim is not permitted on fruit juices, except fresh fruit juices, fruit nectars or foods 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 food contains no less than 40 µg folic acid per single serving	(a) Women of child bearing age should consume diets rich in food folate (fruits, dark green leafy vegetables, legumes; and (b) consume at least 400 µg folic acid daily, through fortified grain products, fortified foods or daily nutritional supplementation, at least in the month before and three months after conception to reduce the risk of foetal neural tube birth defects
6.	**Plant sterol esters and plant stanol esters and**	The food-	Diets low in saturated fat and cholesterol that contain 2 g of plant

	coronary heart disease	• is a fat spread including butter, cooking oil, salad dressing • shall contain at least 0,8 g plant sterols equivalents per serving; • is low in saturated fat; and • is *trans*-fat free • shall bear a statement on the main panel in capital letters at least 3 mm in vertical height to indicate that the particular food is suitable for the intended target group only	sterol esters and plant stanol esters daily, may reduce the risk of heart disease by lowering cholesterol
7.	**Beta-glucans in oat bran, whole grain oats and whole grain barley and Blood cholesterol**	• The claim may only be used for the following single ingredient foods: oat bran, whole grain oats, whole grain barley • A single serving of the food shall contain at least 1 g beta-glucan from one or more of the following foods: oat bran, whole grain oats and whole grain barley.	3 g beta glucan fibre from 60 g whole oats daily, or 40 g oat fibre daily, as part of a diet low in saturated fat and cholesterol, may reduce the risk of coronary heart disease by reducing blood cholesterol levels. and/or Diet must contain at least 3 g beta glucan per day and single serving must contain at least 1 g beta-glucan from one or more of the flowing foods: oat bran, whole grain oats and whole grain barley
8.	**Walnuts and Heart disease**	30 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 30 g of walnuts
9.	**Potassium, blood pressure and stroke**	Foods that naturally contain at least 350 mg Potassium per serving and which are low in Sodium	Diets containing foods that naturally contain at least 350 mg Potassium and which are low in Sodium may reduce the risk of high blood pressure and stroke. All fruits and vegetables contain Potassium

59. Health claims related to the "whole grain" concept: "100% intact whole grain", "Partially intact whole grain" and "Made with whole grain flour"

(1) "100% intact whole grain" health claim

Table 6: "100% intact whole grain" health claim

FOOD CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT	UNCOOKED SINGLE INGREDIENT FOODS FOR WHICH THE CLAIM "WHOLE GRAIN" IS PERMITTED
The food shall- • Comply 100% in terms of the definition for "whole grain" in these regulations • Be 100% whole grain • Naturally low in sodium • Have a natural Low Glycaemic Index value • Indicate the GI category as the heading of the claim as follows: Whole grain (low GI) (claim as indicated in column 2) • No or minimal processing	Diets rich in intact whole-grain foods and other plant foods and low in fat and cholesterol may reduce the risk of most chronic diseases of lifestyle such as coronary heart disease, Diabetes Mellitus, cancer, normal weight management and gastrointestinal health	• Pearl wheat • Pearl barley • Brown rice • Wild rice • Whole flake oats • Corn on the cob • Frozen whole kernel maize (corn) • Intact or cracked rye

(2) "Partially intact, whole grain" health claim

Table 7: "Partially intact, whole grain" health claim

FOOD CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
The food shall- • Comply 100% in terms of the definition for "whole grain" in these regulations • Contain at least 66% intact whole grain from one or multiple cereals • Indicate the quantitative ingredient declaration of the intact whole grains present as part of the name/or description of the food as well as part of the claim] • Indicate the GI category as part of the claim as per column 2	The food may bear the following claim: "Made with (indicate minimum %) intact whole grains from (list cereals). Diets rich in whole-grain cereals and other plant foods, low in fat and cholesterol may reduce the risk of most chronic diseases of lifestyle. This product is a (category) GI food.

(3) "Made with whole grain flour" health claim

Table 8: "Made with whole grain flour" health claim

FOOD CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
The food shall- • Comply 100% in terms of the definition for "whole grain flour " in these regulations • Contain at least 66% whole grain flour • Indicate the quantitative ingredient declaration of the whole grain flour as part of the name/or description of the food as well as part of the claim • Indicate the GI category as part of the claim as per column 2	The food may bear the following claim "Made with (indicate minimum %) whole grain flour. Diets rich in whole-grain cereals and other plant foods and low in fat and cholesterol may reduce the risk of

FOOD CHARACTERISTICS OR CRITERIA	PERMITTED WORDING OF CLAIM EXPLAINING THE DIETARY CONTEXT
	most chronic diseases of lifestyle. This product is a (category) GI food.

Health claims for oral health

60. The following dental health claims shall be permitted provided the conditions for the table below are met fully:

Table 9: Approved health claims for oral health

NUTRIENT	PERMITTED WORDING FOR A CLAIM	ADDITIONAL CONDITIONS AND/OR RESTRICTIONS OF USE OF THE CLAIM OR THE FOOD AND/OR ADDITIONAL STATEMENT OR WARNING ON LABELS AND IN COMMERCIAL MARKETING	FOODSTUFF CATEGORY
The polyol/sugar alcohol Xylitol	Frequent eating of foods high in sugars and starches that are retained on the teeth between meals can promote tooth decay. The sugar alcohol(s) [name sugar alcohol(s)] used as a sweetener in name the product) does(do) not promote tooth decay/dental caries.	• Chewing gum sweetened with Xylitol where Xylitol is the main sweetener in the foodstuff • In order to bear the claim the following additional shall appear on the label: The beneficial effect is obtained with a consumption of 2-3 g of chewing gum sweetened with 100% xylitol at least 3 times per day after meals	Chewing gum
Polyols/Sugar alcohols	Sugar-free chewing gum contributes to the maintenance of tooth mineralisation	The claim may be used for chewing gum sweetened with sugar alcohols and which contain no added sugar or non-nutritive sweeteners. 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
Polyols/Sugar alcohols	Sugar-free chewing gum contributes to the neutralisation of plaque acids	The claim may be used for chewing gum sweetened with sugar alcohols and which contain no added sugar or non-nutritive sweeteners. 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
Polyols/Sugar alcohols	Sugar-free chewing gum contributes to the reduction of oral dryness	The claim may be used for chewing gum sweetened with sugar alcohols and which contain no added sugar or non-nutritive sweeteners. Information shall be given to	Chewing gum

NUTRIENT	PERMITTED WORDING FOR A CLAIM	ADDITIONAL CONDITIONS AND/OR RESTRICTIONS OF USE OF THE CLAIM OR THE FOOD AND/OR ADDITIONAL STATEMENT OR WARNING ON LABELS AND IN COMMERCIAL MARKETING	FOODSTUFF CATEGORY
		the consumers that the beneficial effect is obtained with the use of the chewing gum whenever the mouth feels dry.	
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 sugar alcohols and which contain no added sugar or non-nutritive sweeteners. In order to bear the claim, each piece chewing gum shall contain at least 20 mg 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

Approved health claims for physical performance/exercise

61. The following health claims related to physical performance may be made on a food complying with the criteria in Table 10 below:

Table 10: Approved health claims for physical performance

SUBSTANCE	PERMITTED WORDING FOR A CLAIM	ADDITIONAL CONDITIONS AND/OR RESTRICTIONS OF USE OF THE CLAIM OR THE FOOD AND/OR ADDITIONAL STATEMENT OR WARNING	FOOD CATEGORY
Creatine	Creatine increases physical performance in successive bursts of short-term, high intensity exercise	• The claim may only be used for foods targeting adults performing high intensity exercise • The claim may be used only for foods which provide a daily intake of 3 g of creatine. • In order to bear the claim, information shall be given to the consumer on the label and in advertising that the beneficial effect is obtained with a daily intake of 3 g creatine	Powders and beverages formulated for the specific purpose to support and enhance physical performance in sport activities
Carbohydrate-electrolyte solutions	Carbohydrate-electrolyte solutions contribute to the maintenance of endurance performance during prolonged endurance exercise	In order to bear the claim carbohydrate-electrolyte solutions should contain 80-350 kcal/ litre (335 – 1463 kJ/ litre) from carbohydrates, and at least 75% of the energy should be derived from carbohydrates which induce a high glycaemic response (glycaemic index value	

SUBSTANCE	PERMITTED WORDING FOR A CLAIM	ADDITIONAL CONDITIONS AND/OR RESTRICTIONS OF USE OF THE CLAIM OR THE FOOD AND/OR ADDITIONAL STATEMENT OR WARNING	FOOD CATEGORY
		of 70 or more), such as glucose, glucose polymers and sucrose. In addition, these beverages should contain between 20 mmol/ litre (460 mg/litre) and 50 mmol (1,150 mg/ litre) of sodium, and have an osmolality between 200-33- mOsm/kg water.	
Carbohydrate-electrolyte solutions	Carbohydrate-electrolyte solutions enhance the absorptions of water during physical exercise	In order to bear the claim carbohydrate-electrolyte solutions should contain 80-350kcal/ litre (335 – 1463 kJ/ litre) from carbohydrates, and at least 75% of the energy should be derived from carbohydrates which induce a high glycaemic response (Glycaemic Index value of 70 or more), such as glucose, glucose polymers and sucrose. In addition, these beverages should contain between 20 mmol/litre (460 mg/litre) and 50 mmol (1,150 mg/litre) of sodium, and have an osmolality between 200-33- mOsm/kg water.	
High biological value (quality) protein	• Protein contributes to a growth in muscle mass		
High GI	"High GI foods generally provide a fast release of energy and are ideal for regular sportsmen after one hour's exercise or during and after exercise lasting more than one hour and diabetic individuals during and after exercise lasting at least two hours or more."	Subject to the requirements of regulation 56	

Claims for slimming/ weight loss

62. No claim shall be made that a food is an aid to weight reduction, weight loss, diet or slimming, or words to a similar effect, unless the following requirements are complied with:-

(1) The food shall be labelled with the words "ONLY EFFECTIVE AS PART OF AN ENERGY-CONTROLLED PRUDENT DIET AND AN INCREASE IN MODERATE PHYSICAL ACTIVITY" in bold, capital letters not less than 3,0 mm in font height.

(2) Subject to these regulations, in particular regulations 53(2) and 53(12) and notwithstanding regulation 55(1)(c), the total energy of the food shall be at least 40% less than the same quantity of reference food; Provided that a content claim about energy, including the word "diet" or "zero" or words to a similar effect, shall not be used as a descriptor in the name, brand name or trade name or in any other manner.

(3) No words, pictures or graphics which imply that the food has weight loss properties, may result in weight loss or slimming, directly or indirectly, shall be permitted, unless fully compliant with regulation 62.

(4) The single serving indication is equal or less than the single serving sizes indicated in Annexure 6 and a statement to the effect that the slimming effect is only applicable when consumption of the food is in accordance with the recommended serving size as well as the recommended number of daily servings as indicated on the label, in capital letters not less than 3,0 mm in font height;

(5) Subject to the composition criteria referred to in Regulation 56(2), the GI of the food shall be low, and the GL equal to or less than 10 for a snack or a carbohydrate-rich main meal component, equal to or less than 20 for a complete breakfast or light meal and equal to or less than 25 for a complete main meal.

(6) No reference shall be made to the rate (e.g. "lose 3 kg in one week") or amount (e.g. "lose 3 kg") of weight loss, or any suggestion that it would be detrimental to health not to consume a certain type of food, or a claim which suggest that health could be adversely affected by not consuming the food.

(7) In the case of formulated meal replacements for the purpose of slimming, weight loss/ weight reduction, or diet, the food shall in addition to Regulation 62 comply with the Codex standard for formula foods for use in weight control diets.

(8) No food containing a weight management substance or ingredient that is linked to or is implicated to have an effect on reducing energy intake and/or on energy uptake, and/or increases energy expenditure; result in actions such as thermogenesis, increased satiety, appetitive suppression, absorption blocking effect, or similar actions shall be permitted, unless a dossier which provides conclusive scientific substantiation, in the format and to the requirements of Guidelines 15 and 16, is submitted to the Directorate: Food Control prior to market appearance; Provided that no scheduled substance under the Medicines and

Related Substance Control Act (Act No.101 of 1965) as amended, shall be permitted in such food.

(9) Taking portion control/serving size and reduction of energy intake into consideration, all foods fit in an energy-controlled, healthy diet, therefore no claim for weight management/control/maintenance, in any way, shall be permitted.

Detoxification

63. Any health claim that implies that a food may have any detoxification or any similar effects or benefits shall be considered a medicinal claim and shall be prohibited for foods.

EXEMPTIONS

64. (1) The following ingredients of a food need not be named in the list of ingredients:

(a) any substance other than water, when used as a solvent or carrier for a food additive or nutrient, and which is used in an amount that is consistent with good manufacturing practice:, Provided that the solvent or the carrier shall not be nor contain traces of a common allergen specified in these regulations;

(b) water or other volatile ingredients that evaporated in the course of manufacture.

(2) The following foods 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 food which consists of a single ingredient and of which the name clearly identifies the single ingredient.

(3) The following foods are, unless otherwise provided in these regulations, exempted from the requirements regarding labelling, but when an energy, health, ingredient content or nutrition claim is made, the exemption falls away and all these regulations shall become applicable;

(a) eggs except for a date on which the eggs were packed;

(b) fresh, unprocessed vegetables which have not been mixed;

(c) fresh, unprocessed fruit which have not been mixed;

(d) wheat products, which are not pre-packed (naked bread) except for information on the list of ingredients, allergens, an appropriate date marking and price, which must be printed on the scale label;

(e) any drink regulated by the Liquor Products Act, 1989 (Act No. 60 of 1989): Provided for an indication of allergens and where health statements or warnings

are required, these statements shall be indicated on the label in accordance with relevant regulations under the Act;

(f) unprocessed fish, marine products, meat of animals and birds referred to in Schedule 1 of the Meat Safety Act, 2000 (Act No.40 of 2000) that is intended for human consumption in South Africa, that have not been pre-packed, except-

(i) for an indication of the type of animal, bird, fish or marine product;

(ii) the information of (i) above-

(aa) appears on a poster placed in close vicinity of where the food is offered for sale;

(bb) is easily legible and in clear view of the consumer;

(cc) is in black, bold letters of which the size is suitable for easy legibility on a poster, where such foods 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, 2000 (Act No. 40 of 2000) that is intended for human consumption in South Africa, pre-packed 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 food, prepared and sold on the premises of a catering establishment for consumption, except for information on the list of ingredients, allergens, QUID, an appropriate date marking, printed on the scale label or kept on file and made available immediately upon request, whatever the case may be;

(i) unpacked or transparently-packed servings of foods that are sold as snacks or meals on the premises of preparation, except for information on the list of ingredients, allergens, QUID, an appropriate date marking and price, printed on the label scale;

(j) flour confectionary intended to be consumed within 48 hours of manufacture, except for information on the list of ingredients, allergens, QUID, an appropriate date marking and price, printed on the label scale; and

(k) ice, except for the name and address of the manufacturer.

COMMERCIAL MARKETING OF FOODS AND NON-ALCOHOLIC BEVERAGES TO CHILDREN

65. No food or non-alcoholic beverage shall be marketed to children unless it complies with all the criteria in Guideline 14.

LABELLING OF ENTERAL FOODS FOR THE DIETARY MANAGEMENT OF PERSONS WITH SPECIFIC MEDICAL CONDITIONS (FSMPS)

66. (1) Foods are regarded as enteral foods for special medical purposes (FSMPs) if they are -

(a) formulated to be consumed or administered orally, through a naso-gastric tube or other enteral route that uses the digestive system, under the supervision of a physician or registered dietician;

(b) intended for the exclusive or partial feeding of a patient who-

(i) because of therapeutic or chronic medical needs, is seriously ill or who requires use of the product as a major component of a disease or condition's specific dietary management;

(i) has limited or impaired capacity to take, digest, absorb or metabolise ordinary foods or certain nutrients contained therein;

(ii) has special, distinctive, medically-determined nutritional requirements, determined by the underlying medical condition; and whose dietary management cannot be achieved by modification of the normal diet, other foods for special dietary uses or by a combination of the two;

(c) specially formulated and processed for the specific dietary management of a disease or condition for which distinctive nutritional requirements, based on recognized scientific principles, are established by medical evaluation (as opposed to naturally occurring food used in a natural state);

(d) for persons of all ages with specific medical conditions, excluding infant formula and follow-on formula for the special dietary management for infants with specific medical conditions which are intended for infants up to the age of 1 years;

(e) not making any nutrient, ingredient content or health claims, but limit indications for use to a statement about the dietary requirements for the special medical condition it was formulated for; and

(f) presented as a FSMPs according to the requirements of regulation 66 and Guideline 17;

(2) Enteral foods for special medical purposes for persons with specific medical conditions, exclude foods presented in any manner for the dietary management or support of persons living with HIV/AIDS, tuberculosis, moderate acute malnutrition (MAM), not acute malnutrition (NAM) overnutrition or general nutritional support during convalescence.

(3) The formulation of enteral foods for special medical purposes for patients with specific medical conditions shall be based on generally recognised medical and nutritional principles.

(4) Subject to regulation 66(1)(c), when enteral foods are used as the sole source of nutrition, the composition of these foods shall be such that they can provide the full range of essential macro- and micronutrients in amounts proven to be optimal when used as long term sole source of nutrition: Provided that in such cases an indication that the product is "Suitable as sole source of nutrition" may be used and is subject to regulation 16(h).

(5) The use of enteral foods for special medical purposes shall have been demonstrated, by scientific research in the form of clinical studies, to be safe and effective in meeting the nutritional requirements of persons for whom they are intended in the short or long term, whatever is appropriate. The dossier of information according to Guideline 17 to this effect, shall be kept on record and are subject to the requirements of regulation 6.

(6) Any commercial marketing, including advertising of enteral foods for special medical purposes to the general public is prohibited.

(7) Regulation 66 is-

a. exempted from regulations 25 and 49; and

b. subject to the Regulations Relating to Foods for Infants and Young children published under the Act.

(8) The labels of FSMPs shall provide sufficient information on the nature and purpose of the food as well as detailed instructions and precautions for its use.

(9) The label shall indicate the following complete nutritional information per specified quantity of the foods as suggested for consumption and per 100 g/ml:

(a) the prescribed minimum mandatory nutritional as described in point 1 of Annexure 2; and

(b) the nutritional information relevant to the particular dietary modification referred to in regulation 66(5) present;

(c) the amounts of essential and non-essential amino acids expressed in grams (after protein) or essential fatty acids expressed in grams

(d) the amounts of vitamins and essential minerals, in appropriate metric units; and

(e) any other nutritional information relevant to the specific FSMP.

(10) The label shall contain the following information:

(a) the osmolality or osmolarity;

(b) acid-base balance, where appropriate;

(c) the number of servings or portions contained in the package;

(d) the nature of the animal or plant protein hydrolysates where applicable;

(e) where the essential characteristic of the foods involves a specific modification of the content, or the nature of the proteins, fats or carbohydrates has been modified, the description of the modification and information on the amino acid, fatty acid or carbohydrate profile;

(f) the prominent statement, "USE UNDER MEDICAL SUPERVISION", shall appear on the main panel of the label in bold, capital letters not smaller than 3 mm in vertical font height in an area separated from other written, printed, or graphic information;

(g) adequate directions for the preparation, including the requirement to add other ingredients for the use of the food, if and where necessary,

(h) adequate directions for its storage and keeping after the container has been opened;

(i) additional prominent warning statement consisting of an explanatory statement in bold letters in an area separated from other written, printed or graphic information if the foods pose a health hazard when consumed by persons who do not have the disease(s), disorder(s) or medical condition(s) for which the food is intended when appropriate;

(j) a statement that the product is not to be used for parenteral (intravenous) administration; also referred to as "TPN";

(k) the statement "For the dietary management of...", indicating the specific disease(s), disorder(s) or medical condition(s) for which the product is intended, and for which it has been shown to be effective;

(l) a statement concerning adequate precautions, known side effects, contraindications, and nutrient-drug interactions, where applicable;

(m) a statement of the rationale for the use of the product and a description of the properties or characteristics that make it useful for the particular purpose;

(n) if the product has been formulated for a specific age group, a statement to this effect;

(o) a statement specifying the nutrient(s) which have been reduced, deleted, increased or otherwise modified, relative to normal requirements, and the rationale for the reduction, deletion, increase or other modification; and

(p) feeding instructions, including the method of administration and serving size, where applicable.

REPEAL

67. R146 of 1 March 2010, R1091 of 19 November 2010 and R45 of 19 January 2012 shall be repealed from the day that these regulations come into operation.

COMMENCEMENT

68. (1) These regulations except the regulations identified in regulation 68(2) to 68(11) below, shall come into operation 36 months after the date of final publication; Provided that for the purpose of compliance monitoring, the date of manufacture, including foods in bulk that are re-packed for distribution as end product, will be considered the date from which full compliance to the provisions of these regulations are applicable.

(2) When a label is changed to make any health claim before the period for general compliance of 36 months comes to an end, regulation 68(1) becomes invalid with immediate effect and such new label shall without delay comply fully with all these regulations.

(3) Where a label contained a nutrition or health claim on the date of final publication of these regulations, that are not compliant with regulation 53(7) and 53(11), the label shall be corrected within 3 months after date of final publication.

(4) Where a label contained wording that relates to the concept of whole grain, on the date of final publication of these regulations that are not compliant with regulations 53(7)and 53(11) and 59, the label shall be corrected within 3 months after date of final publication;

(5) Regulations 1, 24, 25 and 53(6)(b) in relation to raw processed meat, shall come into effect 1 month after date of final publication.

(6) Regulations 22(2), 25, and 54(14)(b) in relation to fruit juices shall come into effect 3 months after date of final publication.

(7) Regulations 16(1)(b), 46, 52(12), 53(1), 53(2) and 65 shall come into effect on the date of final publication.

(3) Regulation 16(2) shall become effective on 1 May 2015.

(9) Regulation 66 shall come into effect 12 months after the date of final publication.

MINISTER, DR AARON MOTSOALEDI
MINISTER OF HEALTH
DATE: 6 / 5 / 2014

ANNEXURE 1

CATEGORIES OFADDITIVES THAT MAY BE IDENTIFIED BY THEIR CATEGORY NAME IN A LIST OF INGREDIENTS

*Acidity regulator
*Anti-caking agent
*Antifoaming agent
*Antioxidant
*Bleaching Agent
*Bulking agent
*Carbonating Agent
*Colour retention agent
*Colour / Colouring / Colourant (except Tartrazine)
*Emulsifier
*Emulsifying salt
*Firming agent
*Flavouring
*Flavour enhancer (except MSG and sodium chloride)
*Flour treatment agent
*Foaming agent
*Gelling agent
*Glazing agent
*Humectant
*Propellant
*Raising agent
*Sequestrant
*Stabiliser
*Thickener

ANNEXURE 2

MANDATORY NUTRITIONAL INFORMATION DECLARATION

1. **Format**

The following format is the format of the prescribed minimum mandatory nutritional information that has to be declared on the label of all foods, unless otherwise indicated in these Regulations:

(TYPICAL) NUTRITIONAL INFORMATION (as packed /ready-to-consume)

Quantified single serving size expressed in grams or millilitres, whatever is appropriate, unless the single serving is already quantified in the third column of the Table below

	Per 100 g/ml	**Per single serving**	**NRV per single serving (optional)**
Energy (kJ)			
Protein (g)			
Total carbohydrates (g): of which Glycaemic carbohydrates (g) of which total sugar (g) Dietary fibre# (g)			
Fat (g): of which Saturated fat (g)			
Total Sodium (mg)			

*Nutrient reference values (NRVs) for individuals from the beginning of 37 months and older (see Annexure 3) expressed per single serving - Declaration of this column is optional.

Place the statements required by regulation 52(4) as appropriate, as footnote(s) below the Table.

Indicate method of analysis which was used to determine dietary fibre as a footnote below the Table

2. The following format is the format that provides guidance of how and where other nutrients, other than the minimum nutritional information, shall be declared when necessary:

(TYPICAL) NUTRITIONAL INFORMATION (as packed /ready-to-consume)

Quantified single serving size expressed in grams or millilitres, whatever is appropriate, unless the single serving is already quantified in the third column of the Table below

	Per 100 g/ml	**Per single serving**	**NRV * per serving (optional)**
Energy (kJ)			
Protein (g)			
Total carbohydrates: of which Glycaemic carbohydrates (g) of which total sugar (g) Dietary fibre (g) Prebiotics (Novel fibre) (g) Polyols (g)			
Fat (g): of which Saturated fat (g) Trans fat Monounsaturated fat (g) and/or Polyunsaturated fat (g) and/or of which Omega-3 fatty acids (mg) Cholesterol (mg)			
Total Sodium (mg)			
Any other nutrient or food component to be declared in accordance with these Regulations: • in alphabetical order, in the order: vitamins, minerals, others. • Carotenoids and other bioactive substances • GI • GL	Indicated in milligrams (mg), micrograms (mcg/ µg), or IU (International Unit), as appropriate according to Annexure 3		

*Nutrient reference values (NRVs) for individuals from the beginning of 37 months and older (see Annexure 3) expressed per single serving - Declaration of this column is optional.

Place the statements required by regulation 52(4) as appropriate, as footnote(s) below the Table.

Indicate method of analysis which was used to determine dietary fibre as a footnote below the Table

ANNEXURE 2 (continued)

MANDATORY NUTRITIONAL INFORMATION DECLARATION

3. **Energy conversion factors**

In the calculation of the energy value of a food for the purposes of the prescribed energy statement referred to in this Annexure the following conversion factors shall be employed:

(a) Energy: 1 kcal equals 4,18 kJ;

(b) 1 g of glycaemic carbohydrates expressed as monosaccharide equivalents-

(i) measured by direct analysis shall be deemed to contribute 15.7 kJ (rounded off to 16 kJ); or

(ii) when calculated by difference shall be deemed to contribute 16.7 kJ (rounded off to 17 kJ);

(c) 1 g of glucose monohydrate shall be deemed to contribute 14.1 kJ (rounded off to 14 kJ);

(d) 1 g of glucose shall be deemed to contribute 15.7 kJ (rounded off to 16 kJ);

(e) 1 g of fructose shall be deemed to contribute 15.7 kJ (rounded off to 16 kJ);

(f) 1 g of lactose shall be deemed to contribute 16.5 kJ (rounded off to 16 kJ);

(g) 1 g of sucrose shall be deemed to contribute 16.5kJ (rounded off to 16 kJ);

(h) 1 g of starch and glycogen shall be deemed to contribute 17.5 kJ; (rounded off to 17 kJ);

(i) 1 g of NSP fibre shall be deemed to contribute 7.7 kJ (rounded off to (8 kJ);

(j) 1 g of fermentable fibre shall be deemed to contribute 11 kJ, excluding synthetic polydextrose, fructo-oligosaccharides, inulin and maize bran;

(k) 1 g of resistant starch shall be deemed to contribute 11.4 kJ (rounded off to 11 kJ);

(l) 1 g of synthetic polydextrose (5% glucose) shall be deemed to contribute 6.6 kJ (rounded off to 7 kJ);

(m) 1 g of isolated Fructo-oligosaccharides shall be deemed to contribute 11.1 kJ (rounded off to 11 kJ);

(n) 1 g of isolated inulin (pure) shall be deemed to contribute 11.4 kJ (rounded off to 11 kJ);

(o) 1 g of non-digestible oligosaccharides in general conventional foods shall be deemed to contribute 11.1 kJ (rounded off to 11 kJ);

(p) 1 g of maize bran shall be deemed to contribute 1,3 kJ;

(q) 1 g of glycerol shall be deemed to contribute 18 kJ;

(r) 1 g of polyol not specified hereunder shall be deemed to contribute 10 kJ;

(s) 1 g of Erythritol shall be deemed to contribute 1.1 kJ (rounded off to 1 kJ);

(t) 1 g of Isomalt be deemed to contribute 11.2 kJ (rounded off to 11 kJ);

(u) 1 g of Lactitol shall be deemed to contribute 10.7 kJ (rounded off to 11 kJ);

(v) 1 g of Maltitol shall be deemed to contribute 13 kJ;

(w) 1 g of Mannitol shall be deemed to contribute 8.1 (rounded off to 8 kJ);

(x) 1 g of Polyglycitol shall be deemed to contribute 13.2 (rounded off to 13 kJ);

(y) 1 g of Sorbitol shall be deemed to contribute 11.7 (rounded off to 12 kJ);

(z) 1 g of Xylitol shall be deemed to contribute 13.7 kJ; (rounded off to 14 kJ);

(aa) 1 g of protein shall be deemed to contribute 16.8 (rounded off to 17 kJ);

(bb) 1 g of alcohol (ethanol) shall be deemed to contribute 29 kJ;

(cc) 1 g of fat shall be deemed to contribute 37.4 kJ (rounded off to 37 kJ);

(dd) Novel fats:

Salatrims, general family: 1 g shall be deemed to contribute 22 kJ;

Olestra: 1 g shall be deemed to contribute 0 kJ;

(ee) 1 g of organic acid shall be deemed to contribute 13 kJ;

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 Food and Nutrition Paper no77: Food Energy – methods of analysis and conversion factors
- Life Science Research Office (LSRO); Federation of American societies for Experimental Biology (1994), The evaluation of the Energy of Certain Sugar Alcohols used as Food Ingredients
- Roberfroid M. B. (1999) Caloric value of inulin and oligofructose. J Nutr. 129: 1436S-1437S.
- Salatrims means random short- and long-chain triacylglycerol molecules
- FSANZ: FINAL ASSESSMENT REPORT APPLICATION A537 REDUCTION IN THE ENERGY FACTOR ASSIGNED TO MALTITOL: 05 October 2005

4. Protein conversion factors

FACTORS FOR CONVERTING TOTAL NITROGEN TO PROTEIN

	FACTOR
Meat, Poultry and Fish	6,25
Eggs:	
*Whole	6.25
*Albumin	6,32
*Vitellin	6,12
Milk and milk products	6,38
Casein	6,40

Human milk	6,37
Soya	6,25
Beans	6,25
Nuts:	
*Almond	5,18
*Brazil and groundnuts	5,46
*Others	5,30
Gelatine	5,55
Oil seeds	5,30
Cereals:	
*Durum wheat	5,70
*Wheat:	
**Whole	5,83
**Bran	6,31
**Embryo	5,80
**Endosperm	5,70
*Rice	5,95
*Barley, oats and rye	5,83
*Millet	6,31
*Maize	6,25
Chocolate and cocoa	4,74
Mushrooms	4,38
Yeast	5,70
Compound foods (mixed proteins)	6,25

ANNEXURE 3

DAILY NUTRIENT REFERENCE VALUES (NRVs) FOR THE PURPOSES OF THESE REGULATIONS

NUTRIENT	UNIT OF MEASUREMENT	INDIVIDUALS FROM THE BEGINNING OF 37 MONTHS AND OLDER**
MACRO NUTRIENTS		
Protein	G	56
Saturated fat	G	20
MICRO NUTRIENTS		
Vitamin A[a]	µg	800
Vitamin B_1 or thiamine	mg	1,2
Vitamin B_2 or riboflavin	mg	1,3
Nicotinic acid, nicotinamide or niacin[e]	mg	16
Vitamin B_6 or pyridoxine	mg	1,7
Folic acid(added to food) or folate[f] (naturally occurring in food)	µg	400
Vitamin B_{12} or cyanocobalamin	µg	2,4
Biotin	µg	30
Pantothenic acid	mg	5
Vitamin C or ascorbic acid	mg	100
Vitamin D[b]	µg	15
Vitamin E[c]	mg te	15
Vitamin K[d]	µg	120
Boron***	Mg	1.5***
Calcium	Mg	1300
Chromium	µg	35
Copper	Mg	0.9
Iodine	µg	150
Iron	Mg	13
Magnesium	Mg	365
Manganese	Mg	2.3
Molybdenum	µg	45
Phosphorus	Mg	1250
Potassium*****	Mg	Not less than 4700 per day
Sodium	Mg	Not more than 2000 per day
Selenium	µg	55
Vanadium****	Mg	0.9****
Zinc	Mg	10
Choline	Mg	550

** 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.

***** Applicable to Potassium naturally present in food but exclude any added potassium.

Conversion factors for Vitamins and minerals

a 1 mcg Retinol activity equivalents (RAE) = 1 mcg retinol = 3,33 I.U. (International units) vitamin A activity from retinol = 1 mcg of all-*trans*-retinol = 12 mcg all *trans* dietary ß-carotene = 24 mcg other dietary pro-vitamin A carotenoids, excluding pro-vitamin A carotenoids from red palm oil, red palm oil carotenoids = 2 mcg all-*trans*-ß-carotene from red palm oil.

b As cholecalciferol: 1 mcg cholecalciferol (Vitamin D_3) and Ergocalciferol (Vitamin D_2) = 40 I.U. of Vitamin $D_{2 \text{ and } 3}$.

c As d alpha tocopherol: mg = TE. 1 mg (d alpha tocopherol) = 1,49 I.U. of Vitamin E.

d Vitamin K_1 and K_2 ,when naturally present in food and does not included added Vitamin K_1 and K_2.

e Niacin 1 mg niacin equivalents (NE) = 1 mg niacin =60 mg tryptophan.

f Folate 1 µg dietary folate equivalents (DFE) = 1 µg food folate =0.6 µg folic acid added to food or as supplement consumed with food = 0.5 µg folic acid as supplement taken on an empty stomach.

ANNEXURE 4

LIST OF FOODS AND INGREDIENTS EXEMPTED FROM A BEST BEFORE DATE

- Any alcoholic beverage as described in the Liquor Products Act, 1989 (Act No.60 of 1989).
- Chewing gum.
- Confectionary products consisting of flavoured and/or coloured sugars.
- Fresh fruits and vegetables which have not been peeled or cut or similarly treated.
- Biltong and dried sausage which have not been pre-packed.
- Honey, except for the date the honey was pre-packed.
- Ready-to-consume flour confectionary, provided that the date of manufacture is indicated on the label or in the direct vicinity where the products are displayed.
- Sugars.
- Unprocessed, unpacked fish, unprocessed, unpacked meat and poultry which have not been pre-packed.
- Vinegar.

ANNEXURE 5

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):

Histamine	17.0 mg
Isoleucine	30.5 mg
Leucine	62.0 mg
Lysine	50.0 mg
Methionine plus cysteine	24.0 mg
Phenylalanine plus tyrosine	43.5 mg
Threonine	26.00 mg
Tryptophan	6.8 mg
Valine	40.5 mg

*2007 FAO/WHO/UNU suggested pattern of amino acids average requirements for children (1-10 years)

2. Template

Reference amino acid pattern per 1g protein*		**Example food** *Source of information***		**Amino acids expressed as % from reference amino acids**
		Analysed amino acids (g) in 100 g edible food/...g. total protein	**Conversion to amino acids (g) in 1 gram protein in food**	**Rounded off to 2 decimal points (0.00)**
Histidine (g)	0.017			
Isoleucine (g)	0.0305			
Leucine (g)	0.062			
Lysine (g)	0.05			
Methionine plus cystine (g)	0.024			
Phenylalanine plus tyrosine (g)	0.0435			
Threonine (g)	0.026			
Tryptophan (g)	0.0068			
Valine (g)	0.0405			

*2007 FAO/WHO/UNU suggested pattern of amino acids average requirements for children (1-10 years)
** Source of information

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 food/ 3.4g.total protein	Conversion to amino acids (g) in 1 gram protein in food	Rounded off to 2 decimal points (0.00)	
Histidine (g)	0.017	0.092	0.027058824	159.17	√
Isoleucine (g)	0.0305	0.206	0.060588235	198.65	√
Leucine (g)	0.062	0.334	0.098235294	158.44	√
Lysine (g)	0.050	0.27	0.079411765	158.82	√
Methionine plus cystine (g)	0.024	0.118	0.034705882	144.61	√
Phenylalanine plus tyrosine (g)	0.0435	0.33	0.097058824	223.12	√
Threonine (g)	0.026	0.154	0.045294118	174.208	√
Tryptophan (g)	0.0068	0.048	0.014117647	207.61	√
Valine (g)	0.0405	0.228	0.067058824	165.58	√

*2007 FAO/WHO/UNU suggested pattern of amino acids average requirements for children (1-10 years)
**Fatty acid and amino acid composition tables – Supplement to MRC Food Composition Tables (1991)

3b. Example 2: Peanut butter, smooth (non-compliant in terms of protein quality)

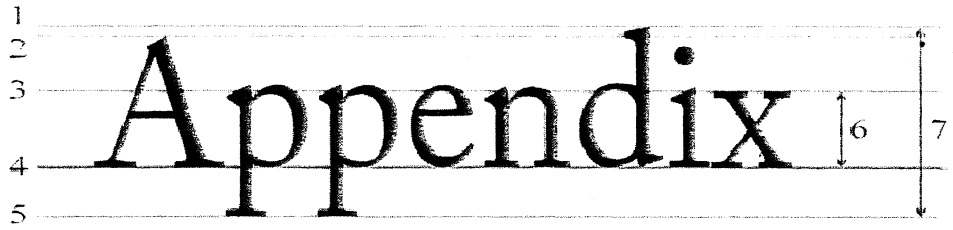
Reference amino acid pattern per 1g protein*		Peanut butter, smooth Information source: MRC Tables Code 6509 (new code 3485)**		Amino acids expressed as % from reference amino acids	
		Analysed amino acids (g) in 100 g edible food/ 24.6g.total protein	Conversion to amino acids (g) in 1 gram protein in food	Rounded off to 2 decimal points (0.00)	
Histidine (g)	0.017	0.622	0.025284553	148.73	√
Isoleucine (g)	0.0305	0.865	0.035162602	115.29	√
Leucine (g)	0.062	1.594	0.064796748	104.51	√
Lysine (g)	0.05	0.883	0.035894309	71.79	χ
Methionine plus cystine (g)	0.024	0.302	0.012276423	51.15	χ
Phenylalanine plus tyrosine (g)	0.0435	1.275	0.051829268	119.15	√
Threonine (g)	0.026	0.842	0.034227642	131.64	√
Tryptophan (g)	0.0068	0.239	0.009715447	142.87	√
Valine (g)	0.0405	1.031	0.041910569	103.48	√

*2007 FAO/WHO/UNU suggested pattern of amino acids average requirements for children (1-10 years)
** **Fatty acid and amino acid composition tables – Supplement to MRC Food Composition Tables (1991)

ANNEXURE 6

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	**Font size**

NOTICE – CHANGE OF TELEPHONE NUMBERS: GOVERNMENT PRINTING WORKS

As the mandated government security printer, providing world class security products and services, Government Printing Works has adopted some of the highly innovative technologies to best serve its customers and stakeholders. In line with this task, Government Printing Works has implemented a new telephony system to ensure most effective communication and accessibility. As a result of this development, our telephone numbers will change with effect from 3 February 2014, starting with the Pretoria offices.

The new numbers are as follows:

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- Advertising : 012 748 6205/6206/6207/6208/6209/6210/6211/6212
- Publications Enquiries : 012 748 6052/6053/6058 GeneralEnquiries@gpw.gov.za

  Maps : 012 748 6061/6065 BookShop@gpw.gov.za

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Please consult our website at www.gpwonline.co.za for more contact details.

The numbers for our provincial offices in Polokwane, East London and Mmabatho will not change at this stage.

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