

Regulation of Food Safety and Quality in South Africa

Access to safe and affordable food is important to humans and animals. Food that carries potential risks can be harmful to health. Consumers expect and deserve protection against risks found in food and therefore appropriate regulatory systems are important.

Who Is Responsible For Food Safety And Food Quality Legislation In South Africa?

The following national departments are the main parties responsible for food legislation:

1. The Department of Agriculture, Forestry and Fisheries (DAFF)
2. The National Department of Health
3. The Department of Trade and Industry

How Are They Involved In The Protection Of The Consumer?

DAFF regulates safety and quality of agriculture and animal products in terms of several acts of parliament

- Agricultural Product Standards Act, 1990 (Act No. 119 of 1990)
- [Animal Diseases Act, 1984 \(Act No. 35 of 1984\)](#)
- [Animal Identification Act, 2000 \(Act No. 6 of 2002\)](#)
- Animal Improvement Act, 1998 (Act. No. 62 of 1998)
- Animals Protection Act, 1962 (Act No. 71 of 1962)
- [Fertilisers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 \(Act no. 36 of 1984\)](#)
- [Meat Safety Act, 2000 \(Act No.40 of 2000\)](#)
- Performing Animals Protection Act, 1935 (Act No. 24 of 1935)
- [Veterinary and Para-Veterinary Professions Act, 1982 \(Act No. 19 of 1982\)](#)
- the Liquor Products Act, 1989 (Act 60 of 1989)

The National Department of Health requires that all foodstuffs shall be safe for human consumption in terms of the Foodstuffs, Cosmetics and Disinfectant Act ,1972 (FCD Act). This Act addresses the manufacture, labelling, sale and importation of foodstuffs. Matters regarding the hygiene of foodstuffs are addressed by the National Health Act, 2003, and the hygiene requirements at ports and airports including vessels and aircraft are addressed by the International Health Regulations Act, 1974.

The South African Bureau of Standards (SABS) falls under the jurisdiction of the Department of Trade and Industry and controls canned meat and frozen and canned fishery products through the Standards Act, 1993.

How Am I Protected Against Contaminants And Toxins In Foodstuffs?

Food legislation is based on the presumption of safety. Where a substance is not naturally present in a food e.g. an additive or contaminant, maximum limits are laid down which in many cases are those determined by Codex Alimentarius.

The FCD Act is considered to be a reactive act which means that approved and acceptable sources

are taken in to account to provide the information on safety of foodstuffs for regulatory purposes. Such sources include:

- Codex Alimentarius standards and guidelines
- The Fertilizers, Farm Feed, Agricultural Remedies and Stock Remedies Act, 26 of 1947, which set out regulatory requirements for registration of pesticides and stock remedies
- The Medicines and Related Substances Control Act 65 of 1963, which sets out regulatory requirements for registration of veterinary medicines
- The Genetically Modified Organisms Act 15 of 1997, which sets out regulatory requirements for foods from genetically modified organisms

The abovementioned Acts are pro-active, which means that government approval must be obtained for the release of a product on the market. Assessments are required of the data and information submitted by the applicant to determine the risk. These assessments are conducted by a group of independent experts or government officials trained to do so.

Does The Government Know Enough About The Risks To Protect The Consumer?

The development of regulations under the FCD Act requires expert knowledge of a number of areas: microbiology, additives, mycotoxins, irradiation of food etc. In order to advise government, the Food Legislation Advisory Group (FLAG) was established. FLAG is comprised of academics, scientists, consumers and representatives of various industries and organizations. It should be noted that the power to enforce the FCD Act is delegated to provincial and local health authorities.

What Is The Codex Alimentarius?

The Codex Alimentarius Commission was created in 1963 by the Food and Agriculture Organization (FAO) and the World Health Organization (WHO) to develop International food standards, guidelines and related texts such as codes of practice under the Joint FAO/WHO Food Standards Programme. South Africa is a member of Codex and the Codex contact point is with the Department of Health. Government officials represent the country at the meetings of the committees where standards are developed on a consensus base. It is the objective/intention of the South African Department of Health to give effect to Codex standards in South African legislation.

What More Can I Do To Protect Myself As Consumer?

The government cannot protect consumers from the consequences of their own actions. Consumers need to take responsibility and strive to become informed and knowledgeable about food issues in order to make selective food purchases and practice the necessary safety requirements when handling, preparing and storing food.

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