

NOTIFICATION TO ALL IMPORTERS AND MANUFACTURERS OF FOOD PRODUCTS ON THE IMPLEMENTATION OF FDA NUTRITION LABELLING REQUIREMENTS

This is to remind you that in line with Section 112(e) of the Fourth Schedule of the Public Health Act, 2012 (ACT 851) and the recommendation of the Food and Drugs Authority's Technical Advisory Committee on Nutrition, The FDA has started full implementation of the Provisions of the Codex Alimentarius Guidelines relating to Nutrition. This drive is aimed at preventing the marketing of unhealthy foods – one of the major risk factors for Non-Communicable Diseases (NCDs) according to the World Health Organization (WHO). It is worthy of note that NCDs contribute to about 43% of all deaths in Ghana per the 2018 World Health Organization – NCD Country Profiles.

For emphasis, you are to take note of the following provisions:

1. Prohibited Claims

- **Section 1.4** of the Codex Alimentarius Guidelines on the Use of Nutrition and Health Claims, CAC/GL 2-1985 (revision 2013): ***“Nutrition and health claims shall not be permitted for foods for infants and young children except where specifically provided for in relevant Codex standards or national legislation”***

This provision shall be applied to infant formulae, other designated food products and any other foods marketed as suitable for feeding children up to 3 years of age.

- **Section 9.5** of the **Codex Alimentarius Guidelines on the Use of Nutrition and Health Claims**, CAC/GL 2-1985 (revision 2013): ***“Foods should not be described as “healthy” or be represented in a manner that implies that a food in and of itself will impart health”***.
- **Sections 3 and 4** of **Codex General Guidelines on Claims** (CAC/GL 1-1979 (Rev. 1-1991 Amended 2009):

3. The following claims should be prohibited:

3.1 Claims stating that any given food will provide an adequate source of all essential nutrients, except in the case of well defined products for which a Codex standard regulates such claims as admissible claims or where appropriate authorities have accepted the product to be an adequate source of all essential nutrients.

3.2 Claims implying that a balanced diet or ordinary foods cannot supply adequate amounts of all nutrients.

3.3 Claims which cannot be substantiated.

3.4 Claims as to the suitability of a food for use in the prevention, alleviation, treatment or cure of a disease, disorder, or particular physiological condition unless they are:

(a) in accordance with the provisions of Codex standards or guidelines for foods as developed by the Committee on Nutrition and Foods for Special Dietary Uses and follow the principles set forth in these guidelines.

or,

(b) in the absence of an applicable Codex standard or guideline, permitted under the laws of the country in which the food is distributed.

3.5 Claims which could give rise to doubt about the safety of similar food or which could arouse or exploit fear in the consumer.

4. The following are examples of claims which may be misleading:

4.1 Meaningless claims including incomplete comparatives and superlatives.

4.2 Claims as to good hygienic practice, such as “wholesome”, “healthful”, “sound”.

When Claims are made, it should be made in line with the following sections:

- **Sections 5 of Codex General Guidelines on Claims** (CAC/GL 1-1979 (Rev. 1-1991 Amended 2009).
- **All parts of Section 8 of the Codex Alimentarius Guidelines on the Use of Nutrition and Health Claims**, CAC/GL 2-1985 (revision 2013).

Manufacturers and importers are entreated to be abreast of Codex Guidelines and also refer to current versions to ensure maximum compliance.