

DRAFT KENYA STANDARD

DKS 2955:2021

ICS ###.###

First Edition

Front of pack nutrition labelling — Requirements



**Kenya Bureau of
Standards**
Standards for Quality life

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Ministry of Health —Division of Nutrition and Dietetics
Ministry of Health — Division of Food Safety
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KENYA STANDARD

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First Edition

Front of pack nutrition labelling — Requirements

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Foreword

This Standard was prepared by the Food Labelling Technical Committee under the guidance of the Standards Projects Committee, and it is in accordance with the procedures of the Kenya Bureau of Standards

This standard is intended to supplement KS EAS 38, KS EAS 803, KS EAS 804 and KS EAS 805 in providing guidance in application of front-of-pack nutrition labelling, as a tool to facilitate the consumer's choice and create demand for healthier food options of food and allowing consumers to correctly and easily identify products that contain high recommended amount of total sugars, total fats, saturated fats and sodium in line with national health and nutrition policies. The aim of the standard is to reduce the demand for and offer/availability for (of) products that contain high amounts of total sugars, total fats, saturated fats and sodium. This will promote purchase and consumption of healthy foods thus halt and reverse trends the rising burden of diet related NCDs in line with the strategic objective 2 of the Kenya Health Policy, 2014 – 2030. It will also encourage industries to voluntarily reformulate their products in such a way that they produce healthier processed products thus contributing to overall health of the population.

During the preparation of this standard, reference was made to the following documents:

KS EAS 38, Labelling of Pre-packaged foods — General Requirements

KS EAS 803, Nutrition Labelling — Requirements

KS EAS 804, Claims — Requirements

KS EAS 805, Nutrition and Health Claims — Requirements

Kenya Nutrition Profile Model

National healthy diets and physical activity guidelines

Kenya National Strategy for Prevention and Control on NCDs

Kenya Health Policy, 2014 - 2030

National Food and Nutrition Security Policy, *Sessional Paper* No. 1 of 2012

National Food and Nutrition Security Policy implementation framework, 2017 – 2022

Codex guidelines for front of the pack nutrition labelling

Kenya National Nutrition Action Plan, 2018-2022

CXS 1 - 1985, General Standard for the Labelling of Pre-packaged Foods

WHO guiding principles and framework manual front of the pack labelling for promoting healthy diets

Acknowledgement is hereby made for the assistance derived from these sources.

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Introduction

Non Communicable Diseases (NCDs) constitute one of the major global challenges for development in the 21st century. NCDs contribute to about 41 million deaths per year, equivalent to 71 % of all global deaths. Out of these deaths, 15 million are premature deaths occurring in low- and middle-income countries among persons aged between 30 to 69 years, which is a great loss in human capital. The main chronic diseases contributing to the NCD deaths include cardiovascular diseases (CVD), cancers, diabetes, and respiratory diseases. Diet related Non communicable diseases (NCDs) such as cardiovascular diseases (hypertension, stroke, heart attack), diabetes and cancers are rapidly increasing in both children and adults thus becoming a critical public health problem in Kenya, accounting for 42.8 % of all deaths.

Kenya is experiencing a triple burden of malnutrition with co-existence of undernutrition, over nutrition and micronutrient deficiencies. Of great concern is the rising prevalence of overweight and obesity (key biological risk factors for NCDs) which is currently at 27.9 percent among adults 18 - 69 years and is higher among women at 38.5 %. The prevalence of overweight among girls age 5 – 19 years increased from 12.5 % in 2010 to 18.4 percent and 4.4 percent to 7.5 percent of boys of the same age. (Global Nutrition report 2021) Additionally, the rising prevalence of NCDs is a major public health concern and a hindrance to long term national economic growth, accounting for 39 percent of all deaths and 55 % of all hospital admissions in the country (NCD strategic plan 2021/22 – 2025/26)

Overweight and obesity are major risk factors for the increasing burden of NCDs. The prevalence of overweight and obesity in Kenya is 38.5 % in women and 17.54 in men respectively. Over consumption of unhealthy diets such as those containing pre-packaged food products high in fat, sugar, salt and energy for long periods of time is associated with overweight, obesity and diet related non communicable diseases.

Labelling of Pre-packaged food products should provide necessary information to enable consumers to make informed and independent healthy choices on pre-packaged products. This is consistent with requirements of the Constitution of Kenya 2010 Bills of Rights under Article 46 (b) that states that '*Consumers have the right to the information necessary for them to gain full benefit from goods and services*' and that '*every person has a right to the highest attainable standard of health*' (Article 43(1)(a)). In addition, the Food, Drugs and Chemical Substances Act (Cap 254) provides provisions for packaging and labelling of products including food. To contribute to realization of these constitutional rights and duties especially in regard to pre-packaged food products, Kenya developed and implements four labelling standards which are based on International Standards such as Codex and best international practices. The four mandatory standards are:

- a) KS EAS 38: Labeling of Pre-packaged foods — General requirements;
- b) KS EAS 803: Nutrition labelling — Requirements;
- c) KS EAS 804: Claims — General requirements; and
- d) KS EAS 805: Use of nutrition and health claims — Requirements.

KS EAS 803 in particular provides mandatory nutrition labelling requirements in order to empower the consumers make informed nutrition decisions in relation to pre-packaged food products available to the market and make healthier food choices.

Despite the implementation of these food labelling standards, consumption of unhealthy products has continued to increase over the years due to inadequate capacity of consumers to interpret the current nutrition labels. Therefore, there is need to develop a simple clear way to enable consumers make healthy food choices. Front of pack nutrition labelling (FOPNL) is as an important tool designed to enhance consumer's ability to make informed healthy choices as one of the key strategies for controlling and reducing the burden of NCDS, in line with the objective two of the Kenya Health Policy 2014-2030, National Food and Nutrition Security Policy (2012) and the Kenya Nutrition Action plan (2018-2022).

According to the Ministry of Health, the purpose of the FOPNL is to protect public health by contributing to the control and reduction of the burden of overweight, obesity and diet-related non-communicable diseases in Kenya. This will be achieved through

- Provision of a simple, easy to identify, relevant and readily understood nutrition information on pre-packaged food products;

- Facilitation of consumer awareness and understanding of healthy foods
- Reducing demand for foods high in fats, sugars and salt
- Prevention of labelling in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding product character in any respect
- Incentivize reformulation of food products by manufacturers to reduce fats, sugars and salt in pre-packaged food products.

FOPNL is one of the components of nutrition labelling which a country may choose, to inform its population on nutritional properties of pre-packaged food products, as provided for in KS EAS 803. Therefore, the government in its effort to ensure the population is provided with necessary nutritional information about pre-packaged food products to allow consumers to make informed food choices which can contribute to achieving the highest attainable standard of health, made the decision to develop a FOPNL for application to Pre-packaged food products in accordance with this standard. This standard was developed in accordance with principles outlined in the [Codex Guidelines for front of the pack nutrition labelling] and WHO Guiding principles and framework manual for front-of-pack labelling for promoting healthy diet.

Front of pack nutrition labelling — Requirements

1 Scope

1.1 This Draft Kenya standard specifies the requirements of the application of front of pack nutrition labelling to pre-packaged food products related to the content of, total fat, saturated fats, total sugars and sodium.

1.2 This standard also applies where simplified nutrition information is displayed near the food (e.g. shelf-tags or food service), for unpackaged foods or for foods sold via online (e.g. information available at point of purchase on websites).

1.3 This draft standard does not apply to the following products:

- a) Pre-packaged food products specifically manufactured for infants and young children, such as infant and follow-up formula as covered in KS EAS 4 part 1 and part 2 (Infant formula), KS Codex Stan 156 (Follow-up formula)
- b) Pre-packaged foods covered by KS CODEX STAN 146 (Standard for Labelling of and Claims for Foods for Special Medical Purposes)
- c) Prepacked foods covered in KS EAS 72, Processed cereal-based foods for infants and young children — Specification
- d) Vitamin and mineral food supplements as covered in KS EAS 797, Vitamin and mineral food supplements — Requirements
- e) Food supplements covered in KS EAS 798, Lipid food supplements — Requirements
- f) Pre-packaged food products for special medical purposes
- g) Pre-packaged food products for special dietary uses
- h) Pre-packaged food products with very low nutritional contributions, such as herbs and spices (including mixture thereof), plain tea, plain coffee and condiments
- i) Pre-packaged food products in small units as defined in clause 3
- j) Alcoholic beverages
- k) Single ingredient products which does not contain total fat, saturated fats, total sugars and sodium

2 Normative references

The following referenced documents referred to in the text in such a way that some or all of their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

Food Drugs and Chemicals Substances Act, Cap, 254 of LoK

KS EAS 4-1, Infant formula — Specification— Part 1: Formula for normal nutritional use

KS EAS 4-2, Infant formula — Specification— Part 2: Formula for special medical purposes

KS EAS 38, Labelling of pre-packaged foods — General requirements

KS EAS 803, Nutrition labelling — Requirements

KS Codex Stan 156, Standard for follow-up formula

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply

3.1 endorsement

claim or mark awarded to a product for promotional purposes other than regulation

Note 1: Endorsement is in the context of sodium, total fat, total sugars and saturated fats in the context of FOPNL

3.2 food

substance, whether processed, semi-processed or raw, which is intended for human consumption, and includes drinks, chewing gum and any substance which has been used in the manufacture, preparation or treatment of "food" but does not include cosmetics or tobacco or substances used only as drugs

3.3 food categorization

classification of pre-packaged foods in group of similar or related products for purposes of application of front of pack nutrition labelling

3.2 pre-packaged food products

packaged or made up in advance in a container, ready for offer to the consumer, or for catering purposes

3.3 infant

child from birth up to the age of 12 months

3.4 young child

child from 12 months to 36 months of age

3.5 salt

sodium chloride

3.6 front of pack

main display area of a package, being the total area of the surface (or surfaces) that is displayed or visible under customary conditions of retail sale or use

Note 1 to entry: This is the same area of vision where the brand name is displayed on a label

3.7 front of pack nutrition labelling (FOPNL)

application of simplified supplementary nutrition information in form of a symbol on the front of the pack on a Pre-packaged food product label to guide a consumer make quick, accurate and informed choice about the nutritional value of the product.

3.8 small units

pre-packaged foods where the largest surface area is less than 10 cm²

3.9 re-labelling

re-application of labelling information resulting either from re-packaging or damage of original product label

3.10**statutory marks**

all marks granted to Pre-packaged food processor to demonstrate or indicate compliance to a particular law, regulation or Kenya Standard.

3.11**symbol**

mark to indicate compliance of a product to the nutrient requirements in compliance to front of the pack nutrition labelling

3.12**thresholds**

maximum nutrient limits that defines and provides for use of symbol in front of the pack nutrition labelling

Note 1 to entry. The thresholds established in this standard applies only for purposes of Front of Pack Nutrition Labelling and do not supersede, substitute or replace the requirements and or limits for safety and quality as provided in specific law (s), regulation(s) or Kenya Standard (s)

Note 2 to entry. A noncompliance to the thresholds provided in this standard does not constitute any safety and quality concern and may not be used as a basis of rejecting or accepting a product by a regulator

Note 3 to entry. Where a front of pack nutrition labelling symbol is used, the product(s) shall fully comply with the requirements established in this standard contrary to which should be in contravention of principle 4.1 of this standard as well as the principles outlined in KS EAS 38 and provisions of food labelling in Cap 254 of LoK.

3.13**total sugar**

both added and intrinsic sugars in a product

4 Principles

4.1 Pre-packaged food shall not be described or presented on any label or in any labelling in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect

4.2 Pre-packaged food 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 with such other product.

4.3 Front of pack nutrition labelling shall

- a) provide supplementary information in addition to nutrient declaration to increase the consumer's understanding of the nutritional value of their food;
- b) assist consumers to easily and correctly identify foods high amounts of total sugars, total fats, saturated fats and sodium through applying simple, easily recognizable labels to encourage healthier food choices at the point of purchase; and
- c) encouraging formulation of healthier food options.

5 Requirements**5.1 General requirements**

5.1.1 The product shall comply with the safety and quality requirements of the relevant product specification standard.

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5.1.2 The label shall comply with the labelling requirements as specified in KS EAS 38 and relevant provision provided in Cap 254 of LoK and any other relevant statutory requirement.

5.1.3 The symbol for front of pack nutrition labelling shall be placed on the front of the pack in the same area of vision as the product's brand and name of the product on the label

5.1.4 A product that does not qualify for symbol indicating compliance to the thresholds given in Table 1 shall not carry any other form of product endorsement except statutory marks/logos for safety and quality.

5.1.5 Front of pack nutrition labels on pre-packaged foods shall appear on packaging in such a manner that the label will not become separated from the container

NOTE: The use of stickers is allowed for this case

5.1.6 A food product shall be classified in one of the food category as provided in **Annex A** of this standard

5.1.7 Any information required to appear on a front of the pack nutrition label by virtue of this standard shall be clear, prominent, indelible and readily legible by the consumer under normal conditions of purchase and use

5.2 Specific requirements

5.2.1 The product shall carry mandatory nutrient declaration per 100 g or 100 ml of the product for:

- a) energy value/content;
- b) available carbohydrate (that is, dietary carbohydrate excluding dietary fibre),
- c) total sugars
- d) amounts of protein;
- e) total fat;
- f) saturated fat; and
- g) sodium.

5.2.2 A Pre-packaged food product label shall carry the appropriate symbol for each nutrient based on the threshold established in Table 1

Table 1: Nutrient thresholds limits for Pre-packaged food products.

FC	Food category name	Nutrient Threshold per 100 g max.			
		Total fat	Saturated Fat	Total Sugar	Sodium
1	Confectionaries Chocolates (consider fat based on specification, consider saturated #total) Sugar confectioneries Flour confectioneries (move bakery wares)	7	2.3	5.3	NA
2	Bakery wares	8.3	2.8	6.3	0.25
3.1	Breakfast cereals	11	3.7	8.3	0.33
3.2	Pasta and noodles and like products, rice and grains	20	6.7	NA	0.32
4.1	Ready to eat savoury snacks Potato, cereal or starch-based	7	2.3	5.3	0.21
4.2	Processed nuts and edible seeds	NA	NA	NA	0.21
5.1	Fruit and vegetable drinks	NA	NA	10	0.05
5.2	Fruits and vegetables Juices	NA	NA	14	0.05
5.3	Water- based flavoured and unflavoured drink	NA	NA	10	0.05
5.4	Coffee premixes, Tea premixes and Cocoa premixes (as consumed- RTD)	NA	NA	8	0.05
5.5	Cereal, legumes, grain, tree nut-based beverage (as consumed- RTD)	NA	NA	8	0.02
6	Composite foods	11.6	3.9	8.8	0.35
7	[Butter and fat emulsions	NA	23 ^b	NA	0.63
8	Processed Meat, fish and poultry products	8	3	NA	0.40
9.1	Processed fruits, vegetables, and legume excluding juices and drinks	8	3	NA	0.4
9.2	Solid-form soybean products (as consumed- RTD)	8	2.7	NA	NA
10	Sauces, dips, other seasonings, soups and dressings	8	2.7	NA	0.35
11.1	Milk and dairy based drinks (as consumed- RTD)	4	1.3	8	0.05
11.2	Frozen dairy-based desserts and edible ices	6	2	12	0.1
11.3	Other dairy based desserts	4	1.3	8.8	0.1
11.4	Cheese and analogues	22	7.3	NA	0.5
^a Not Applicable					
^b For margarine, the threshold shall be 36g/100g.					

6 Other requirements

6.1 FoPNL is a voluntary standard that shall only be provided in addition to, and not in place of, the nutrient declaration.

6.2 In the case of either relabelling or a supplementary label the requirements for front of pack nutrition labelling in the label shall fully and accurately reflect that of the original label

7 Use of front of the pack labelling other than on pre-packaged product

7.1 Front of the pack labelling may be used to avail to consumers simplified nutrition information by displaying front of the pack label near the Pre-packaged foods by use of tools such as shelf-tags, for unpackaged foods or for foods sold via online such as information available at point of purchase on websites

7.2 Where 7.1 has been used, the management of the store and owner brand owner, where applicable, of the product(s) where the tag is displayed shall bear responsibility of the compliance of the label to the thresholds established in this standard

7.3 All the Pre-packaged food products placed in close proximity to or covered by the tag, shall carry on their label the mandatory nutrient declaration as indicated in clause 5.2.1 of this standard.

8 Specific prohibition

Front of the pack label shall not be used on alcoholic beverage labels neither used to promote, advertise, market or displayed where alcoholic beverages are availed to consumers. |

Annex A (normative)

[Food categorization

FC	Food category name	Food category description
1	Confectionaries	Cocoa/Chocolate bars (including milk, dark and white chocolate) chocolate spread, imitations and chocolate substitutes, granola and muesli bars, table sugars, flour-based confectionaries, hard soft and chewy candy, chewing gum, caramels, soft jellied candies, marshmallow, sweet sauces, sweet desserts, creamy desserts, hard boiled sweets (such as lollipop)
2	Bakery wares- Includes bread and ordinary bakery wares and for sweet, salty and savoury fine bakery wares	
2.1	Fine bakery wares	Pastries; croissants, Cakes, cookies, pies, doughnuts, sweet rolls, muffins, macaroons, breakfast biscuits (such as chocolate-covered biscuits), sweet pancake (ready-to-eat form), Buns with sweet fillings, Mandazi, chocolate pudding, plum pudding, bread pudding
2.2	Breads and ordinary bakery ware	Bread and rolls, crackers, mixes for making bread and ordinary bakery wares, mixes for making pizza, savoury pancake, wraps/tortillas, bread with raisins, buns, bread with cereal, rusks
3	Cereals and Cereal Products- Includes all ready-to-eat, instant, and regular hot breakfast cereal products and pasta, noodle, and similar products.	
3.1	Breakfast cereals	Whole, broken or flaked grains of rice and other cereals, rice-based, wheat-based or maize-based breakfast cereals of all flavours, oat meal, mueslis, rice cakes, porridge
3.2	Pasta and noodles and like products, rice and grains	Fresh, precooked, or dried noodles and pastas and like products, rice paper, rice noodles, vermicelli made from wheat, tapioca, sago, brick paper etc. (sold as ready-to-eat)
4	Ready-to-eat snack foods- Includes all types of savoury snack foods, processed edible nuts, animal protein snacks as well as any other snack that has been sweetened or flavoured with free sugars, honey or salt	
4.1	Ready to eat savoury snacks Potato, cereal or starch-based	Popcorn, other snacks made from rice, maize, wheat, potato, cassava, plantain (i.e. chips, crisps)
4.2	Processed nuts and edible seeds	Nuts, and mixed nuts (including with fruit content), edible seeds
5	Beverages- Includes soft beverages excluding milk and milk products	
5.1	Fruit and vegetable drinks	Are beverages produced from purees, juices and concentrates of either, blended with water and sugar, honey, syrup and/or sweetener
5.2	Fruits and vegetables Juices	100% fruit and vegetable juices prepared from fresh or reconstituted from concentrate, smoothies
5.3	Water- based flavoured and unflavoured drink	Sport, energy drinks, electrolyte drinks, carbonated and non-carbonated water-based flavoured drinks
5.4	Coffee premixes, Tea premixes and Cocoa premixes	Instant and premixed coffee, coffee substitute, instant and premixed tea, herbal infusion to be prepared or in ready-to- drink form
5.5	Cereal, legumes, grain, tree nut-based beverage	Cereal, grain and tree nut-based beverages produced from the extracts of cereals, pulses and tree nuts
6	Composite foods	Composite foods (Prepared foods, ready-made and convenience foods and composite dishes) Mixtures of multiple components (e.g. meat, sauce, grain, cheese, vegetables). These include foods that require minimal preparation (heating, thawing,

		rehydrating) or the ready-to- serve meal from restaurants. Examples: frozen and chilled ready meals, pizzas, lasagna, ready-made sandwiches.
7	Butter and other fats and oils and fat emulsions	, lard, ghee, fish oils and other animal fats, butter, fat spreads. Examples:, fat blends, nuts spread (e.g. peanut butter)
8	Processed Meat, fish and poultry products- Include Non-heat and heat treated whole pieces or cuts or comminuted meat, poultry and game that have been cured and dried or fermented	
8.1	Processed meat and poultry products	Non-heat and heat treated whole pieces or cuts or commuted meat, poultry and game that have been cured and dried or fermented. Examples: smoked ham, salted dried meat, salami, sausage, bacon, corned beef, smoked duck, canned meats, chicken nuggets, beef or chicken patty, pork rind, liver pate
8.2	Processed fish and seafood products	Canned tuna, canned sardines
9	Fruits and Vegetables (including mushrooms and fungi, roots and tubers, pulses and legumes and aloe vera)	
9.1	Processed fruits, vegetables, and legume excluding juices and drinks	Dried fruits, canned or bottled, jam, jellies, marmalades, packed in vinegar, oil or brine; pickled, candied, pulp, purees, topping, fermented, fillings, cooked forms of fruits and vegetables. Examples: fruits and vegetables in vinegar, oil or brine, dried coconut, coconut cream, marmalade, jams, canned fruits, vegetables and legumes, dried mushrooms, preserved or pickled fruits and vegetables, fermented vegetables
9.2	Solid-form soybean products	Soybean-based products, soybean curd (tofu), semi dehydrated tofu, dehydrated tofu (kori tofu), fermented soybeans (natto), other soybean protein products (soya nuggets and textured vegetable protein), soya based chunks and mince
10	Sauces, dips, other seasonings, soups and dressings	Emulsified, non-emulsified mixes as concentrated, clear sauces and like products, soybean-based seasoning and condiments. Examples: mayonnaise, salad dressing, onion dips, tomato ketchup, gravy, cheese sauce, cream sauce, bouillon cubes, seasoning powder, fermented and unfermented soy sauces, fish sauce, sweet chili sauce, spaghetti sauce, BBQ sauces,
11	Dairy Products and Analogues- includes all types of dairy products that are derived from the milk of any milking animal and water-based frozen desserts, confections and novelties, such as fruit sorbet, "Italian"-style ice, and flavoured ice.	
11.1	Milk and dairy based drinks	Are obtained from the processing of milk and may contain food additives and other ingredients functionally necessary for processing. Milk means milk from animals such as cows, goats, camels etc
11.2	Frozen dairy-based desserts and edible ices	Ice cream, ice milk, frozen yoghurt, ice lollies and sorbets
11.3	Other dairy based desserts	Dairy based products that have been curdled by fermentation, acid, enzyme, heat, etc. and flavoured with sugar and other ingredients. Examples are flavoured cream type yoghurt, jellied milk, butterscotch, chocolate mousse, puddings (including rice pudding, milk pudding), flan, custard
11.4	Cheese and analogues	Unripe or ripened cheese, processed cheese, cheese analogues, that can be classified based on physical characteristics as hard (e.g. Parmesan), semi-hard (e.g. cheddar, edam), semi-soft and soft (e.g. mozzarella, ricotta) as well as serving style as sliced cheese, cream cheeses, grated or powdered cheeses, spreadable cheeses, cottage cheese, processed cheese

Bibliography

- [1] Kenya Nutrient Profile Model
- [2] Afro Nutrient Profile Model

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