



DRAFT EAST AFRICAN STANDARD

Claims on Foods—General requirements

EAST AFRICAN COMMUNITY

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Foreword

Development of the East African Standard has been necessitated by the need for harmonizing requirements governing quality of products and services in the East African Community. It is envisaged that through harmonized standardization, trade barriers which are encountered when goods and services are exchanged within the Community will be removed.

In order to achieve this objective, the Community established an East African Standards Committee mandated to develop and issue East African Standards.

The Committee is composed of representatives of the National Standards Bodies in Partner States, together with the representatives from the private sectors and consumer organizations. Draft East African Standards are circulated to stakeholders through the National Standards Bodies in the Partner States. The comments received are discussed and incorporated before finalization of standards, in accordance with the procedures of the Community.

East African Standards are subject to review, to keep pace with technological advances. Users of the East African Standards are therefore expected to ensure that they always have the latest versions of the standards they are implementing.

DEAS 804: 2022 was prepared by Technical Committee EASC/TC 018 Nutrition and Foods for Special Dietary Uses

This East African Standard is based on CAC/GL 1- 1979 (Amended 2009), General guidelines on claims.

This second edition (DEAS 804: 2022) cancels and replaces the first edition (EAS 804: 2014), which has been technically revised.

Introduction

The purpose of this East African Standard is to provide general requirements that apply to claims made on foods. The general requirements are associated with the labeling and advertisement of food with particular reference to claims.

This East African Standard is a tool to assist industry in compliance with standards and legislation and consumer protection. These general requirements should be complied with, whether or not an individual East African standard covers a food.

DEAS FOR PUBLIC REVIEW

Claims on food— General requirements

1 Scope

This Draft East African Standard specifies general requirements for claims made on a food irrespective of whether or not the food is covered by an individual East African Standard.

2 Normative references

The following documents are 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.

CAC/GL 24, *General guidance for the use of the term Halal*

CAC/GL 9, *General principles for the addition of essential nutrients to foods*

EAS 803, *Nutrition labelling — Requirements*

EAS 805, *Use of nutrition and health claims — Requirements*

3 Terms and definitions

For the purposes of this standard the following terms and definitions shall apply:

3.1 claim

any representation which states, suggests or implies that a food has particular characteristics relating to its origin, nutritional properties, nature, production, processing, composition or any other quality attributes

3.2 food

any 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

4 Guiding principles

4.1 No food is described or presented 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 The person producing, processing and/or marketing the food shall be able to justify the claims made

5 Requirements

5.1 Prohibited claims

5.1 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 an East African Standard regulates such claims as admissible claims or where competent authorities have accepted the product to be an adequate source of all essential nutrients.

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

5.3 Claims which cannot be substantiated.

5.4 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 relevant East African Standards; or
- b) permitted under the laws of the country in which the food is distributed.

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

5.6 Nutrition and health claims shall not be made for foods for infants and young children products'

5.7 Meaningless claims including incomplete comparatives and superlatives.

5.8 Claims as to good hygienic practice, such as "wholesome", "healthful", "sound".

6 Conditional claims

6.1 An indication that a food has obtained an increased or special nutritive value by means of the addition of nutrients, such as vitamins, minerals and amino acids may be given only if such an addition has been made on the basis of nutritional considerations according to the CAC/GL 9 and such addition conforms with relevant East African Standards.

6.2 An indication that the food has special nutritional qualities by the reduction or omission of a nutrient shall be on the basis of nutritional considerations and subject to legislation by the appropriate authorities.

6.3 Terms such as "natural", "pure", "fresh", "home made", "organically grown" and "biologically grown" 'dairy excluded foods', "gluten free" when they are used, shall be in accordance with the national legislation and shall be consistent with the prohibitions set out in Clause 5.

6.4 Religious or ritual preparation (for example, Halal, Kosher) of a food may be claimed provided that the food conforms to the requirements of the appropriate religious or ritual authorities and in with accordance to CAC/GL 24.

6.5 Claims that a food has special characteristics when all such foods have the same characteristics, if this fact is apparent in the claim.

6.6 Claims which highlight the absence or non-addition of particular substances to food may be used provided that they are not misleading and provided that the substance:

- a) is not subject to specific requirements in any East African or National Standard or Guideline or law;
- b) is one which consumer would normally expect to find in the food;

- c) has not been substituted by another giving the food equivalent characteristics unless the nature of the substitution is clearly stated with equal prominence; and
- d) is one whose presence or addition is permitted in the food.

6.7 Claims which highlight the absence or non-addition of one or more nutrients are regarded as nutrition claims and therefore shall invoke requirements for nutrient declaration in accordance with the EAS 803.

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