

Most food companies upbeat over detailed labelling regulations

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FOOD retailers and suppliers are divided on a Department of Health food labelling regulation which came into effect on Thursday last week. The regulation requires that all food manufactured, imported and sold in South Africa be labelled with detailed nutritional and compositional information.

To ensure that consumers are not misled, manufacturers and importers have been warned that steps would be taken if their non-compliance persisted. Action that could be taken included prosecution.

However, Shoprite said the law was too complex because of exclusions, inconsistencies and ambiguities in the regulation.

The retailer said it was glad that these concerns were being addressed by the Consumer Goods Council of SA on behalf of the industry.

On the other hand, Pick n Pay said it would gladly comply with the legislation by making sure that its brands carried full disclosure of information that could assist customers.

Pick n Pay said the company had been working on the implementation of the regulation for the past two years.

In March 2010, the Department of Health agreed to a year-long period of grace to allow the food industry the opportunity to change the labels on products. This period was extended for another year due to the challenges encountered by the industry. Although Pick n Pay said products manufactured and packed before this month should be exempt from the new regulation, all its suppliers and importers had been notified and were required to sign a letter of confirmation.

The council's Food Safety Division welcomed the regulation and highlighted that it would provide better clarity to the food industry in terms of what could and could not be done under the law.

The council said the regulation had been compiled to close known food-labelling and advertising loopholes.

"This aims to assist and protect consumers in the sense that labelling information from March this year will be expected to be complete and accurate," the council said.

Tiger Brands, which owns brands including Koo, Ace, Black Cat and Fatti's & Moni's, said it had started the labelling process in 2010. However, it emphasised that consumers should bear in mind that some products with a long shelf life would still have the old labels.

Tiger Brands said the exercise had been a cost-intensive change for the company.

Nestlé South Africa, which produces chocolates, cereals, ice cream and coffee, said it was pleased with the promulgation of the regulation and it would ensure compliance by all its food and beverage manufacturers. Nestlé SA, which has been working to improve labels since 2010, promised customers that its packages would contain adequate information.

Analysts said the new health regulation would help reduce deceptiveness and confusion about ingredients contained in food items.

Herman Blignaut, a partner at intellectual property specialist law firm Spoor and Fisher, said the regulation would help consumers do away with confusion and misleading information on foodstuffs.

He said the regulation was very specific in terms of what was required from the producer and added that words such as "healthy" had been prohibited. "In fact, any word suggesting health properties cannot be used," he said.

He said there was room for manufacturers or retailers to use the phrases "low fat" and "natural", but specific guidelines would apply. This was backed by the department, which said nutritional claims such as "high in fibre", "low fat" and "sugar free", must be supported by the mandatory nutritional table.

Blignaut said manufacturers had enough time to change their labels given that the regulation had been in the making for about 10 years.

Absa Investments analyst Chris Gilmour said although food producers and retailers faced costs to comply with the new rules change, they should not run into huge expenses as the regulation was no surprise. He said consumers were becoming more sophisticated and wanted information about what they consumed.