

S.I. 15 of 2019

FOOD ACT, 2014

(Act 8 of 2014)

Food Act (Labelling of Pre-Packaged Foods) Regulations, 2019

Arrangement of Regulations

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- (ii) "Sell by..." where the day is indicated; or
 - (iii) "Expiration ..." where the day is indicated.
- (c) the words referred to in regulation 10 (b) shall be accompanied by—
- (i) either the date itself; or
 - (ii) a reference to where the date is given.
- (d) the day, month and year shall be declared in uncoded numerical sequence except that the month may be indicated by letters so long as it does not confuse the consumer.
- (e) where a "best before" or "expiration" or "sell-by-date" is placed on a pre-packaged food by a manufacturer, processor or packer or is fixed under any regulations under the Act, the date shall be considered as the shelf life of the food and the food shall not be offered or displayed for sale after that date.

Lot number
on label.

11. A manufacturer, processor or packer of food who uses a code number, letter or mark to signify the date of manufacture, processing or packaging on a label shall, upon request of an authorised officer, divulge the date signified by the code number, letter or mark.

MADE this 28th day of March, 2019.

**MITCY LARUE
MINISTER OF FAMILY AFFAIRS**

S.I. 15 of 2019

FOOD ACT, 2014

(Act 8 of 2014)

Food (Labelling of Pre-Packaged Foods) Regulations, 2019

In exercise of the powers conferred by section 14 read with section 38 of the Food Act, the Minister responsible for Family Affairs acting as the Minister responsible for Health makes the following Regulations—

1. These regulations may be cited as the Food Act (Labelling of Pre-Packaged Foods) Regulations, 2019 and shall come into operation on 1st April, 2019.

Citation and
commencement

2. In these Regulations—

Interpretation

"Best Before" means the date up to which food remains fully marketable as it retains its expected quality when it comes to flavour and texture, and for tacit or express claims made, under proper storage and use;

"container" means any packaging of food for delivery as a single item, whether by completely or partially enclosing the food and includes wrappers, and a container may enclose several units or types of packages when such is offered to the consumer;

"Claim" means any representation which states, suggests or implies that a food has particular qualities relating to its origin, nutritional properties, nature, processing, composition or any other quality;

"Cottage food" means a pre-packaged food produced in a kitchen located in the person's

primary domestic residence or another appropriately equipped residential or commercial-style kitchen on that property which is intended for sale to the public;

"Date of Manufacture" means the date on which the food becomes the product as described;

"Expiration Date (Use-by-Date or Recommended Last Consumption Date)" means the date until when the food can be eaten safely under any stated storage conditions and after this date, the food should not be used or regarded as marketable;

"Ingredient" means any substance, including a food additive, used in the manufacture or preparation of a food and present in the final product although possibly in a modified form;

"Label" means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stenciled, marked, embossed or impressed on, or attached to a container of food;

"Labelling" includes any written, printed or graphic matter that is present on the label accompanying the food, or is displayed near the food, including that for the purpose of promoting its sale or disposal;

"Liquid medium" means water, aqueous solutions of sugar and salt, fruit and vegetable juices in canned fruits and vegetables or vinegar, either singly or in combination;

"Pre-packaged" means packaged or made up in advance in a container, ready for offer to the consumer, or for catering purposes;

(b) alcoholic beverages provided that they contain negligible amounts of carbohydrate, sugar, fat, protein or salt, but the percentage of alcohol is stated;

7. A statement, information or declaration that is required by these regulations or any other written law to appear on the label of any food shall be in either of the national languages of Seychelles (English, French or Creole), in addition to any other language which may appear thereon.

8. No direct or indirect reference to any written law shall be made on any label of, or in any advertisement for a food unless the reference is a specific requirement of the written law.

9. Where any food has more than one name, whether common or proper, a reference to that food by any of its names shall be deemed to be a reference to it by all its names.

10. On a prepackaged food —

(a) the "best before" or "expiration" or "sell-by-date" shall be declared. This shall consist at least of —

(i) the day and the month for products with a minimum durability of not more than three months;

(ii) the month and the year for products with a minimum durability of more than three months. If the month is December, it is sufficient to indicate the year.

(b) the date shall be declared by the words —

(i) "Best before ..." where the day is indicated; or

Labelling
of food in
national
language

Restriction
on reference
to written
law

Common
name used
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Product
dating on
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contains only one single portion, provided that the total weight of the single portion is mentioned.

(vii) where a claim appears on the pre-packaged food regarding the amount or type of a nutrient, the amount of the nutrient must be listed in addition to the requirements in sub regulation 5(b)(vi).

(viii) any other statement required under these regulations or any other written law which is required to be declared on the label;

(c) on any panel —

(i) the name and address of the manufacturer, packer or distributor of the food, as the case may be;

(ii) any necessary direction for handling and storing the food;

(iii) the country of origin of the food;

(iv) where the food has been treated with ionizing radiation, a statement thereof.

(2) For the purposes of sub regulation 5(c)(iii), where any food has undergone processing in a second country and such processing has changed the original nature of the food, the country in which the processing was done shall be considered the country of origin of the food.

6. Regulation 5 (1) (b) (vi) shall not apply to —

(a) cottage foods.

“Processing Aid” means a substance or material, not including apparatus or utensils, and not consumed as a food ingredient by itself, intentionally used in the processing of raw materials, foods or its ingredients, to fulfil a certain technological purpose during treatment or processing and which may result in the non-intentional but unavoidable presence of residues or derivatives in the final product;

“Sell-by-Date” means the last date of offer for sale to the consumer.

3. A person shall not sell or expose for sale a manufactured, processed or repacked food unless a label has been affixed or applied to the food.

Prohibition of sale of unlabeled foods

4. Any information required under any written law or otherwise to appear on the label of any food for sale shall be —

Information prominently displayed on label

(a) clearly and prominently displayed on the label;

(b) readily discernible to the purchaser or consumer under the customary conditions of purchase and use;

(c) having information or pictorial device written, printed, or graphic matter may be displayed in labelling provided that it is not in conflict with the mandatory requirements of this regulation;

(d) if grade designations are used, be readily understandable and not be misleading or deceptive in any way;

(e) having statements required to appear on the label by virtue of this regulation, be clear,

Declaration
on label

prominent, indelible and readily legible by the consumer under normal conditions of purchase and use.

5.(1) Label applied on a food shall carry—

- (a) on the main panel—
- (i) the common name of the food;
 - (ii) the brand or trade mark of the food;
 - (iii) the net contents shall be declared in the metric system in the following manner—
 - A. for liquid foods, by volume;
 - B. for solid foods by weight;
 - C. for semi-solid or viscous foods, either by weight or volume; and
 - (iv) in addition to the declaration of net contents, a food packed in a liquid medium shall carry a declaration in the metric system of the drained weight of the food.
- (b) on any panel grouped together—
- (i) a declaration by name of any preservative used in the food;
 - (ii) a declaration of permitted colour added to the food;
 - (iii) a declaration of any artificial or imitation flavouring preparation added to the food;

(iv) in the case of food consisting of more than one ingredient, a complete list of acceptable common names of the ingredients in descending order of their proportions unless the quantity of each ingredient is stated in terms of percentage or proportionate composition;

(v) the following foods and ingredients are known to cause hypersensitivity and shall always be declared—

- A. Cereals containing gluten; i.e., wheat, rye, barley, oats, spelt or their hybridized strains and products of these;
- B. Crustacean and products of these;
- C. Eggs and egg products;
- D. Fish and fish products;
- E. Peanuts, soybeans and products of these;
- F. Milk and milk products (lactose included);
- G. Tree nuts and nut products; and
- H. Sulphite in concentrations of 10 mg/kg or more.

(vi) all pre-packaged foods for sale and distribution must display the amount of energy, protein; carbohydrate of which sugar; total fat of which saturated fat; and sodium per 100g or per 100ml, or per package if the package explicitly