FOOD AND DRUGS AUTHORITY

GUIDELINE FOR THE SAFE DISPOSAL OF UNWHOLESOME FOOD PRODUCTS

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TABLE OF CONTENT

INTRODUCTION

In exercise of the powers conferred on the Food and Drugs Authority (FDA) by Part Seven, Section 148 of the Public Health Act, 2012, (Act 851), this guideline applies to the safe disposal of food products that are unwholesome for both human and animal consumption.

The purpose of this guideline is to ensure that unwholesome food products are properly disposed off to prevent its re-entry into the food supply chain. It also provides a comprehensive procedure for bringing the activities of food manufacturers, processors, producers, wholesalers, retailers, importers and exporters, having unwholesome food products, into compliance with Part Seven, Section 132 subsection 2 & 3 of Public Health Act, 2012, (Act 851).

This guideline is hereby promulgated for information, guidance and strict compliance by all concerned.

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1. GLOSSARY

'Unwholesome food' means any food product that when consumed can be injurious to health of the consumer.

'Destruction' means the safe disposal of any unwholesome food product beyond retrieval.

'Voluntary destruction' means any destruction carried out whereby the applicant or owner of the unwholesome food products deliberately or took the initiative to inform the FDA of his intention to dispose off the products.

'Mandatory destruction' means any destruction carried out whereby the applicant or owner of the unwholesome food products is required by law (binding) or obligated to dispose off the products under the directive of the Food and Drugs Authority.

2. REQUIREMENTS

3.1. GENERAL REQUIREMENTS

3.1.1 No person shall dispose off any food product without permission and supervision from the Food and Drugs Authority (FDA).

3.1.2 Approval of application and safe disposal of any food product shall be sought from the FDA.

3.1.3 The applicant shall arrange with the appropriate Waste Management Agency to assist in the destruction.

3.1.4 The applicant shall arrange the means of conveyance of the unwholesome products to the site of destruction

3.1.5 Where necessary, representatives from the Environmental Protection Agency, Customs Excise and Preventive Services (CEPS), Audit Service and the Ghana Police Service shall be present as witnesses.

3.1.6 A mandatory destruction shall be carried out where the FDA assesses a consignment of food products in the custody or possession of an individual or a company is deem to be unwholesome or not fit for human or animal consumption.

3.1.7 Corporate bodies and individuals shall request for a voluntary destruction of any unwholesome food in their custody.

3.2. SPECIFIC REQUIREMENTS

3.2.1 All applications for voluntary or mandatory destruction shall be made to the FDA office through a letter. The letter shall be addressed to

THE CHIEF EXECUTIVE
FOOD AND DRUGS AUTHORITY
P.O.BOX CT 2783
CANTONMENT – ACCRA

3.2.2 The letter shall state the name(s) of product(s) quantities, respective batch numbers, best before dates and commercial values and reason (s) for which the products are declared unwholesome.

3.2.3 The applicant shall also pay a non-refundable fee as specified in the Fee Schedule. In the case of a mandatory destruction, the applicant may be required to pay an administrative fee in addition to the scheduled destruction fee.

3.2.4 The Food and Drugs Authority shall prior to supervision of the destruction exercise, conduct inspection or assessment of the listed food products to confirm their status.

3.2.5 The applicant shall arrange and agree with the FDA on a convenient date on which the voluntary destruction can be undertaken.

3.2.6 With regards to mandatory destruction, the FDA shall determine and communicate the day on which the destruction exercise will be done.

4. SANCTIONS

Any person or corporate body who fails to comply with any of the requirements of these guidelines commits an offence and shall be liable to a fine in accordance with Part Seven, Section 132 subsection 4 of Public Health Act, 2012, (Act 851).

5. PENALTIES

Where non-adherence to this guideline results in exposure of consumers to a food safety risk, the FDA will impose an Administrative Charges in accordance with Section 148, Sub-section 4 & 5 of the Public Health Act, 2012, Act 851.