



FOOD AND DRUGS AUTHORITY

GUIDELINES FOR THE LABELING OF PREPACKAGED FOODS

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1. INTRODUCTION

In exercise of the powers conferred on the FDA by Public Health Act, 2012, Act 851, Part Seven, Section 148, these guidelines applies to the labeling of all prepackaged foods to be offered as such to the consumer or for catering purposes and to certain aspects relating to the presentation thereof.

These guidelines apply to all prepackaged food products that are:

- a) Locally manufactured/produced/processed
- b) Imported

and are intended for human and animal consumption, distribution or to be offered for sale in Ghana.

The purpose of these guidelines is to provide prepackaged food manufacturers, producers, processors and prepackaged food importers with the requirements of the Food and Drugs Authority to ensure that the labeling of prepackaged foods are in compliance with Part Seven, Section 103 of the Public Health Act, 2012, Act 851.

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

2. GLOSSARY

For the purpose of these guidelines the following definitions shall apply:

“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.

“Consumer” means persons and families purchasing and receiving food in order to meet their personal needs.

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

-For use in *Date Marking* of prepackaged food:

“Date of Manufacture” means the date on which the food becomes the product as described.

“Date of Packaging” means the date on which the food is placed in the immediate container in which it will be ultimately sold.

“Sell-by-Date” means the last date of offer for sale to the consumer after which there remains a reasonable storage period in the home.

“Date of Minimum Durability” (“best before”) means the date which signifies the end of the period under any stated storage conditions during which the product will remain fully marketable and will retain any specific qualities for which tacit or express claims have been made. However, beyond the date the food may still be perfectly satisfactory.

“Use-by Date” (Recommended Last Consumption Date, Expiration Date) means the date which signifies the end of the estimated period under any stated storage conditions, after which the product probably will not have the quality attributes normally expected by the consumers. After this date, the food should not be regarded as marketable.

“Food” means 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.

“Food Additive” means any substance not normally consumed as a food by itself and not normally used as a typical ingredient of the food, whether or not it has nutritive value, the

intentional addition of which to food for a technological (including organoleptic) purpose in the manufacture, processing, preparation, treatment, packing, packaging, transport or holding of such food results, or may be reasonably expected to result, (directly or indirectly) in it or its by-products becoming a component of or otherwise affecting the characteristics of such foods. The term does not include “contaminants” or substances added to food for maintaining or improving nutritional qualities.

“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, stencilled, 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, accompanies the food, or is displayed near the food, including that for the purpose of promoting its sale or disposal.

“Batch/Lot” means a definitive quantity of a commodity produced essentially under the same conditions.

“Prepackaged” means packaged or made up in advance in a container, ready for offer to the consumer, or for catering purposes.

“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.

“Foods for Catering Purposes” means those foods for use in restaurants, canteens, schools, hospitals and similar institutions where food is offered for immediate consumption.

3. GENERAL PRINCIPLES

3.1 Prepackaged food shall not be described or presented on any label or in any labeling in a manner that is false, misleading or deceptive or is likely to create an erroneous impression regarding its character in any respect.

3.2 Prepackaged food shall not be described or presented on any label or in any labeling 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. MANDATORY LABELLING OF PREPACKAGED FOODS

The following information shall appear in English on the label of prepackaged foods as applicable to the food being labeled;

4.1. The Name of the Food

4.1.1 The name shall indicate the true nature of the food and normally be specific and not generic:

4.1.1.1 Where a name or names have been established for a food in a standard, at least one of these names shall be used.

4.1.1.2 In other cases, the name prescribed by law shall be used.

4.1.1.3 In the absence of any such name, either a common or usual name existing by common usage as an appropriate descriptive term which was not misleading or confusing to the consumer shall be used.

4.1.1.4 A “coined”, “fanciful”, “brand” name, or “trade mark” may be used provided it accompanies one of the names provided in Subsections 4.1.1.1 to 4.1.1.3.

4.1.2 There shall appear on the label either in conjunction with, or in close proximity to, the name of the food, such additional words or phrases as necessary to avoid misleading or confusing the consumer in regard to the true nature and physical condition of the food including but not limited to the type of packing medium, style, and the condition

or type of treatment it has undergone; for example: dried, concentrated, reconstituted, smoked.

4.2. List of Ingredients

4.2.1. Except for single ingredient foods, a list of ingredients shall be declared on the label.

4.2.1.1 The list of ingredients shall be headed or preceded by an appropriate title which consists of or includes the term 'ingredient'.

4.2.1.2 All ingredients shall be listed in descending order of ingoing weight (m/m) at the time of the manufacture of the food.

4.2.1.3 Where an ingredient is itself the product of two or more ingredients, such a compound ingredient may be declared, as such, in the list of ingredients, provided that it is immediately accompanied by a list, in brackets, of its ingredients in descending order of proportion (m/m). Where a compound ingredient (for which a name has been established in a standard or by law) constitutes less than 5% of the food, the ingredients, other than food additives which serve a technological function in the finished product, need not be declared.

4.2.1.4 The following foods and ingredients are known to cause hypersensitivity and shall always be declared:

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

4.2.1.5 Added water shall be declared in the list of ingredients except when the water forms part of an ingredient such as brine, syrup or broth used in a compound food and declared as such in the list of ingredients. Water or other volatile ingredients evaporated in the course of manufacture need not be declared.

4.2.1.6 As an alternative to the general provisions of this section, dehydrated or condensed foods which are intended to be reconstituted by the addition of water only, the ingredients may be listed in order of proportion (m/m) in the reconstituted product provided that a statement such as “ingredients of the product when prepared in accordance with the directions on the label” is included.

4.2.2. The presence in any food or food ingredients obtained through biotechnology of an allergen transferred from any of the products listed in Section 4.2.1.4 shall be declared.

When it is not possible to provide adequate information on the presence of an allergen through labelling, the food containing the allergen should not be marketed.

4.2.3. A specific name shall be used for ingredients in the list of ingredients in accordance with the provisions set out in Section 4.1 (Name of the Food) except that:

4.2.3.1 Except for those ingredients listed in section 4.2.1.4, and unless a general class name would be more informative, the following class names may be used:

NAME OF CLASSES	CLASS NAMES
Refined oils other than olive	‘Oil’ together with either the term ‘vegetable’ or ‘animal’, qualified by the term ‘hydrogenated’ or ‘partially-hydrogenated’, as appropriate
Refined fats	‘Fat’ together with either, the term ‘vegetable’ or ‘animal’, as appropriate
Starches, other than chemically modified starches	‘Starch’
All species of fish where the fish constitutes an ingredient of another food and provided that the labelling and presentation of such food does not refer to a specific species of fish	‘Fish’

All types of poultrymeat where such meat constitutes an ingredient of another food and provided that the labelling and presentation of such a food does not refer to a specific type of poultrymeat	'Poultrymeat'
All types of cheese where the cheese or mixture of cheeses constitutes an ingredient of another food and provided that the labelling and presentation of such food does not refer to a specific type of cheese	'Cheese'
All spices and spice extracts not exceeding 2% by weight either singly or in combination in the food	'Spice', 'spices', or 'mixed spices', as appropriate
All herbs or parts of herbs not exceeding 2% by weight either singly or in combination in the food	'Herbs' or 'mixed herbs', as appropriate
All types of gum preparations used in the manufacture of gum base for chewing gum	'Gum base'
All types of sucrose	'Sugar'
Anhydrous dextrose and dextrose monohydrate	'Dextrose' or 'glucose'
All types of caseinates	'Caseinates'
Milk products containing a minimum of 50% of milk protein (m/m) in dry matter *	'Milk Protein'
Press, expeller or refined cocoa butter	'Cocoa butter'
All crystallized fruit not exceeding 10% of the weight of the food	'Crystallized fruit'

**Calculation of milk protein content : Kjeldahl nitrogen \times 6.38*

4.2.3.2 Notwithstanding the provision set out in Section 4.2.3.1, pork fat, lard and beef fat shall always be declared by their specific names.

4.2.3.3 For food additives falling in the respective classes and appearing in lists of food additives permitted for use in foods, the following functional classes shall be used together with the specific name or recognized numerical identification such as required by the standard and by law.

- Acidity Regulator
- Flour Treatment Agent
- Anticaking Agent
- Foaming Agent
- Antifoaming Agent
- Gelling Agent
- Antioxidant
- Glazing Agent
- Bleaching Agent
- Humectant
- Bulking Agent
- Preservative
- Carbonating Agent
- Propellant
- Colour
- Raising Agent
- Colour Retention Agent
- Sequestrant
- Emulsifier
- Stabilizer
- Emulsifying Salt
- Sweetener
- Firming Agent
- Thickener
- Flavour Enhancer

4.1.1.3 The following class titles may be used for food additives falling in the respective classes and appearing in lists of food additives permitted generally for use in foods:

- Flavour(s) and Flavouring(s)
- Modified Starch(es)

The expression “flavours” may be qualified by “natural”, “nature identical”, “artificial” or a combination of these words as appropriate.

4.3. Processing aids and carry-over of food additives

4.3.1 A food additive carried over into a food in a significant quantity or in an amount sufficient to perform a technological function in that food as a result of the use of raw materials or other ingredients in which the additive was used shall be included in the list of ingredients.

4.3.2 A food additive carried over into foods at a level less than that required to achieve a technological function, and processing aids, are exempted from declaration in the list of ingredients. The exemption does not apply to food additives and processing aids listed in section 4.2.1.4.

4.4. Net Contents and Drained Weight

4.4.1 The net contents shall be declared in the metric system (“Système International” units –SI units).

4.4.2 The net contents shall be declared in the following manner:

- (i) For liquid foods, by volume;
- (ii) For solid foods, by weight;
- (iii) For semi-solid or viscous foods, either by weight or volume.

4.4.3 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. For the purposes of this requirement, liquid medium means water, aqueous solutions of sugar and salt, fruit and vegetable juices in canned fruits and vegetables only, or vinegar, either singly or in combination.

4.5. Name and Address

The name and address (ie. email, postal and/or location/site address or any traceable address) of the manufacturer, packer, distributor, importer, exporter or vendor of the food shall be declared.

4.6. Country of Origin

4.6.1 The country of origin of the food shall be declared if its omission would mislead or deceive the consumer.

4.6.2 When a food undergoes processing in a second country which changes its nature, the country in which the processing is performed shall be considered to be the country of origin for the purposes of labelling.

4.7. Lot/Batch Identification

Each container shall be embossed or otherwise permanently marked in code or in clear to identify the lot/batch and in some cases the producing factory.

4.8. Date Marking and Storage Instructions

4.8.1 If not otherwise determined in an individual standard, the following date marking shall apply:

(i) The “date of minimum durability” shall be declared.

(ii) This shall consist at least of:

- The day and the month for products with a minimum durability of not more than three months;
- 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.

(iii) The date shall be declared by the words:

- “Best before, Use by or Expiry date ...” where the day is indicated;
- “Best before end ...” in other cases.

(iv) The words referred to in paragraph (iii) shall be accompanied by:

- Either the date itself; or
- A reference to where the date is given.

(v) The day, month and year (ie DD/MM/YY or YY/MM/DD) shall be declared in uncoded numerical sequence or the month may be indicated by letters.

(vi) Notwithstanding 4.7.1 (i) an indication of the date of minimum durability shall not be required for:

- Fresh fruits and vegetables, including potatoes which have not been peeled, cut or similarly treated;
- wines, liqueur wines, sparkling wines, aromatized wines, fruit wines and sparkling fruit wines;
- Beverages containing 10% or more by volume of alcohol;
- Bakers' or pastry-cooks' wares which, given the nature of their content, are normally consumed within 24 hours of their manufacture;
- Vinegar;
- Food grade salt;
- Solid sugars;
- Confectionery products consisting of flavoured and/or coloured sugars;
- Chewing gum.

4.8.2 In addition to the date of minimum durability, any special conditions for the storage of the food shall be declared on the label if the validity of the date depends thereon.

4.9. Instructions for Use

Instructions for use, including reconstitution, where applicable, shall be included on the label, as necessary, to ensure correct utilization of the food.

5. ADDITIONAL MANDATORY REQUIREMENTS

5.1. Quantitative ingredients declaration

5.1.1. The ingoing percentage of an ingredient (including compound ingredients or categories of ingredients), by weight or volume as appropriate, at the time of

manufacture, shall be disclosed for foods sold as a mixture or combination where the ingredient:

(a) is emphasised as present on the label through words or pictures or graphics; or

(b) is not within the name of the food, is essential to characterise the food and is expected to be present in the food by consumers, if the omission of the quantitative ingredient declaration would mislead or deceive the consumer.

Such disclosure is not required:

(c) where the ingredient is used in small quantities for the purpose of flavouring; or

(d) where commodity specific standards conflict with the requirements described here.

With respect to 5.1.1(a):

(e) a reference in the name of the food to an ingredient or category of ingredients shall not of itself require quantitative ingredient declaration if:

- that reference would not mislead or deceive or would not be likely to create an erroneous impression to the consumer regarding the character of the food.
- because the variation in quantity of the ingredient(s) between products is not necessary to characterise the food or distinguish it from similar foods.

5.1.2. The information required in Section 5.1.1 shall be declared on the product label as a numerical percentage.

The ingoing percentage, by weight or volume as appropriate, of each such ingredient shall be given on the label in close proximity to the words or pictures or graphics emphasising the particular ingredient, or beside the name of the food, or adjacent to each appropriate ingredient listed in the ingredient list as a minimum percentage where emphasis is on the presence of the ingredient and a maximum percentage where emphasis is on the low level of the ingredient.

For foodstuffs which have lost moisture following heat or other treatment, the percentage (by weight or by volume) shall correspond to the quantity of the ingredient(s) used, related to the finished product.

When the quantity of an ingredient or the total quantity of all ingredients expressed on the labelling exceeds 100%, the percentage may be replaced by the declaration of the weight of the ingredient(s) used to prepare 100g of finished product.

5.2. Irradiated foods

- 5.2.1. The label of a food which has been treated with ionizing radiation shall carry a written statement indicating that treatment in close proximity to the name of the food. The use of the international food irradiation symbol, as shown below, is optional, but when it is used, it shall be in close proximity to the name of the food.



- 5.2.2. When an irradiated product is used as an ingredient in another food, this shall be so declared in the list of ingredients.
- 5.2.3. When a single ingredient product is prepared from a raw material which has been irradiated, the label of the product shall contain a statement indicating the treatment.

6. EXEMPTIONS FROM MANDATORY LABELLING REQUIREMENTS

With the exception of spices and herbs, small units, where the largest surface area is less than 10 cm², may be exempted from the requirements of paragraphs 4.2 and 4.6 to 4.8.

7. OPTIONAL LABELLING

- 7.1. Any 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 standard and those relating to claims and deception given in Section 3 – General Principles.
- 7.2. If grade designations are used, they shall be readily understandable and not be misleading or deceptive in any way.

8. PRESENTATION OF MANDATORY INFORMATION

8.1 General

- 8.1.1 Labels in prepackaged foods shall be applied in such a manner that they will not become separated from the container.
- 8.1.2 Statements required to appear on the label by virtue of this standard or any other Codex standards shall be clear, prominent, indelible and readily legible by the consumer under normal conditions of purchase and use.
- 8.1.3 Where the container is covered by a wrapper, the wrapper shall carry the necessary information or the label on the container shall be readily legible through the outer wrapper or not obscured by it.
- 8.1.4 The name and net contents of the food shall appear in a prominent position and in the same field of vision.

8.2 Language

- 8.2.1 If the language on the original label is not acceptable (not in English), to the consumer for whom it is intended, a supplementary label containing the mandatory information in English may be used instead of relabelling.
- 8.2.2 In the case of either relabelling or a supplementary label, the mandatory information provided shall fully and accurately reflect that in the original label.

9. SPECIFIC REQUIREMENTS

9.1 Labelling Of Alcohol Beverages

a) Information on the label of alcoholic beverages shall not indicate that the consumption of liquor is required for:

- Social and professional achievement
- Personal success
- Any sporting activity
- Resolution of social, physical or personal problems

b) Names which are suggestive, connoting strength/energy:

- King kong
- Superman
- Power

c) Names with aphrodisiac/sexual undertones:

- Si wo Pole
- Lai Momo
- Obaadanaa
- Bushiami

d) Names associated with sports:

- Soccer gin

e) Pictures of the following are prohibited:

- Muscular men (Mecho)
- Sports men engaged in sporting activities
- Football
- Professionals eg. Soldiers, Policemen
- A couple in a suggestive posture

f) Disparaging claims:

- Most refreshing drink, “for freshness”
- The best
- Superior quality
- Beyond excellence
- Extraordinary quality

g) Misleading/deceptive claims:

- Solves waist problems
- Promotes vitality in men
- Cures disease

10. PENALTIES

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 142 of Public Health Act, 2012, (Act 851).