FOOD AND DRUGS AUTHORITY

GUIDELINE FOR LICENSING AGRO-PRODUCE PACKAGING AND STORAGE FACILITIES

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TABLE OF CONTENT

1. INTRODUCTION

In exercise of the powers conferred on the FDA by the Public Health Act, 2012, Act 851, Part Seven, sections 130 and 131, these guidelines apply to Food Storage Facilities (warehouses and cold storage) which are to be established for food intended for human consumption.

This guideline is to provide agro produce storage (warehouse and cold room) operators with the Food and Drugs Authority's (FDA) requirements for licensing of food storage facilities in order to maintain the integrity of the produce for their intended purpose.

2. DEFINITIONS

For the purpose of this guideline, the following definitions shall apply;

"Agro produce" means a broad all-inclusive category of products related to agriculture and includes a comprehensive range of raw goods under the classifications of fruits and vegetables, roots and tubers, cereals and grains and other plant-like produce such as mushrooms.

"Food storage facility" means any suitable premises, establishment, building, room area, facility, or place, whether dry warehouse or cold storage where food is stored, kept, or packaged for wholesale distribution or to retail outlets, and any such other facility selling or distributing to the consumer. Food storage facilities include facilities where food is stored to the account of another firm (rented) and/or is owned by the food storage facility.

"Fresh Produce" refers to the category of fruits and vegetables.

3. REQUIREMENTS

3.1 GENERAL REQUIREMENTS

No firm or individual shall sell, offer for sale or distribute food from or store in a food storage warehouse without first having obtained a licence from the Food and Drugs Authority.

3.2 SPECIFIC REQUIREMENTS

3.2.1 The company shall satisfy the requirements in the Code of Practice for Agro Produce Packaging and Storage Facilities.

3.2.2 An applicant shall for the purpose of licensing its storage facility

3.2.3 Purchase and complete the cold storage facility licence application form (**FDA/APD/FOR-17**) or the agro produce pack house licence application form (**FDA/APB/FOR-13**) depending on the produce category.

3.2.4 The application for the annual storage facility licensing shall include the following:

3.2.5 A letter of the intended purpose addressed to:

THE CHIEF EXECUTIVE

FOOD AND DRUGS AUTHORITY

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3.2.6 The letter shall be accompanied by:

3.2.6.1.1 the cold storage facility license application form or agro produce packhouse licence Application Form

3.2.6.1.2 Licence fee as stated in the Food and Drugs Authority's fee schedule for warehouse or cold storage facilities

3.2.7 The Food and Drugs Authority shall inspect the storage facilities for which the application is made based on current trends in Good Cold Storage Practices (GCSPs), Good Handling Practices and Good Manufacturing Practices and shall ensure compliance prior to approval.

3.2.8 For this purpose, the following areas shall be considered during the inspection:

3.2.8.1.1 Environment

3.2.8.1.2 Structure and Fabrication

3.2.8.1.3 Facility Hygiene

3.2.8.1.4 Storage Temperature and Monitoring

3.2.8.1.5 Generator Set Functionality

3.2.8.1.6 Products in Storage

3.2.8.1.7 Storage and Handling Practices

3.2.8.1.8 State of Products in Storage

3.2.8.1.9 Personnel:

a. Health Certificate
b. Personnel Training
c. Personnel Hygiene

3.2.8.2 Ancillary Facilities

3.2.8.3 Pest Control

3.2.8.4 Waste Management

3.2.8.5 Documentation

3.3 The License for a food storage facility is valid for one (1) year and may be renewed subsequently.

4 RENEWAL OF FACILITY LICENSE

4.1 An applicant shall for the renewal of license for food storage facility:

4.2 Apply for the renewal of the agroproduce facility 3.4.2. Submit the above in addition to:

4.3 Licensing Renewal fee as stated in the Food and Drugs Authority's fee schedule.

4.4 The application shall be addressed to;

THE CHIEF EXECUTIVE

FOOD AND DRUGS AUTHORITY

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5 TIMELINES

5.1 Where all requirements have been met, the license process shall be carried out within a period of Twenty (20) working days of the receipt of the application.

5.2 Where the Food and Drugs Authority is satisfied that there is the need to license the Food

5.3 Storage Facility, it shall do so and issue to the applicant a Cold Storage Facility Licence/ Agro Produce Pack House Licence, subject to such conditions as may be prescribed by the Food and Drugs Authority from time to time.

5.4 The Food and Drugs Authority may defer or reject an application.

5.5 Applicants shall respond or address any issues raised concerning their applications within a period of three (3) months of receipt of the notice.

5.6 If the Food and Drugs Authority does not receive any response within the period specified under 4.4, the applicant shall reapply for licensing.

5.7 An appeal for the review of an application may be made in writing to the Minister of Health within thirty (30) days of receipt of the rejection notice.

6 SANCTIONS

6.1 The Food and Drugs Authority shall cancel, suspend, or withdraw the Cold Storage Facility Licence/ Agro Produce Pack House Licence if:-

6.1.1 The grounds or circumstance on which it was issued is later found to be false;

6.1.2 Any of the provisions under which the facility was licensed has been contravened; or

6.1.3 The conditions under which food is stored by the facility could compromise the safety of the food.

6.1.4 The FDA is refused access to any portion or area of the food storage warehouse for the purpose of carrying out the provisions of this guideline.

6.1.5 The FDA is refused access to any records required to be kept under the provisions of this guidelines.

6.1.6 Where the facility licence has been cancelled, suspended or withdrawn, the Food and Drugs Authority may notify the public accordingly.

6.1.7 Whenever a licence is summarily suspended, food distribution operations shall immediately cease. However, the FDA may reinstate the licence if the condition that caused the suspension has been abated to the FDA's satisfaction.

6.1.8 Whenever a licence is summarily suspended, the holder of the license shall be notified in writing and upon service of the notice, an opportunity for a hearing will be provided.

7 PENALTIES

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