

DEPARTMENT OF TRADE AND INDUSTRY

NO. 366

08 MARCH 2019

**NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT
(ACT 5 of 2008), AS AMENDED THROUGH THE LEGAL METROLOGY ACT
(ACT 9 of 2014)**

**AMENDMENT TO THE COMPULSORY SPECIFICATION FOR CANNED
MEAT PRODUCTS (VC 8019)**

It is hereby made known under section 13(4) of the National Regulator for Compulsory Specifications Act, (Act 5 of 2008) as amended, that I, Dr Rob Davies, Minister of Trade and Industry, on the recommendation of the NRCS, intends to declare the Compulsory Specification for Canned Meat Products as set out in the attached Schedule.

Any person, who wishes to comment on the intention to introduce the new Compulsory Specification concerned, may submit their comments in writing, to the Chief Executive Officer, National Regulator for Compulsory Specifications, Private Bag X 25, Brooklyn, 0075, on or before the date two (2) months after the publication of this notice.



Dr Rob Davies, MP

Minister of Trade and Industry

DRAFT FOR COMMENT

VC 8019

AMENDMENT OF THE COMPULSORY SPECIFICATION FOR CANNED MEAT PRODUCTS

SCHEDULE

1 SCOPE

1.1 This Compulsory Specification applies to the manufacture, production, processing and treatment of hermetically sealed (canned) meat products.

2 DEFINITIONS

2.1 For the purposes of this Compulsory Specification, the definitions in the latest edition of *SANS (South African National Standard) 1675: 'The manufacture, production, processing and treatment of canned meat products*, shall apply.

2.2 Any word or expression mentioned in this Compulsory Specification to which a meaning has been assigned in the National Regulator for Compulsory Specifications Act (Act No. 5 of 2008), as amended through Legal Metrology Act (Act No. 9 of 2014), shall have that meaning, unless the context otherwise indicates. In addition, the following definitions shall apply:

2.2.1 applicant: a handler, processor, packer, transporter, importer or exporter applying for approval of the product and/or factory or processing facility. The handler, processor, packer, transporter, importer or exporter shall be established within the Republic of South Africa.

2.2.2 approval: confirmation by the NRCS that the product and/or facility satisfies the requirements of this Compulsory Specification.

2.2.3 compulsory specification: a technical regulation document published in terms of Section 13(1) (a), (b) or (c) of the NRCS Act of 2008, (Act No.5 of 2008) as amended through the Legal Metrology Act (Act No. 9 of 2014). A Compulsory Specification lays down product characteristics and/or their related processes and production methods, including the applicable administrative provisions, with which compliance is mandatory.

2.2.4 conformity of production: satisfactory evidence that the handling, preparation, processing, packing, transportation, storage and quality of hermetically sealed (canned) meat products, produced for sale, continues to conform to the requirements of this Compulsory Specification.

2.2.5 DAFF: the Department of Agriculture, Forestry and Fisheries.

2.2.6 factory/processing facility: premises preparing, handling, treating, processing, producing or packaging hermetically sealed (canned) meat products covered by this Compulsory Specification.

2.2.7 HACCP (Hazard Analysis and Critical Control Point): a system which identifies, evaluates, and controls hazards that are significant to food safety.

2.2.8 NRCS: the National Regulator for Compulsory Specifications, as established by the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008) as amended through the Legal Metrology Act (Act No. 9 of 2014).

2.2.9 official factory/processing facility number/code: a unique identification number or code allocated by the NRCS to a factory/processing facility in the Republic of South Africa.

2.2.10 product safety management system: a food safety management system implemented by a factory/processing facility based on the principles of HACCP as recommended by the Codex Alimentarius Commission.

2.2.11 relevant national legislation: means the following Acts; Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No 54 of 1972); NRCS Act 2008 (Act No.5 of 2008); Legal Metrology Act 2014 (Act No. 9 of 2014); Meat Safety Act, 2000 (Act No 40 of 2000), as amended from time to time and applicable regulations.

3 GENERAL ADMINISTRATIVE REQUIREMENTS

3.1 All canned meat products to be offered for sale shall comply with the requirements of this Compulsory Specification.

3.2 The factory/processing facility for canned meat products in the Republic of South Africa shall be pre-approved by the NRCS for conformity of production requirements as prescribed in Annex A - A.1. A certificate of approval for the facility shall be issued by the NRCS. Such approval shall be reviewed annually, or more frequently as may be determined by the NRCS. For any other new products that were not part of the initial annual approval of the facility, the facility shall apply immediately to add new product/product ranges to the overall approved list.

3.3 The factory/processing facility may not dispatch or sell a canned meat product from the facility, without a valid NRCS approval certificate of compliance per each production batch for products produced in the Republic of South Africa.

3.4 Application for official inspection and approval of the product(s) shall be made to the NRCS for every consignment of canned meat products which are imported into South Africa, in accordance with the requirements of Annex A - A.2.

3.5 Application for approval required for export or any other purposes as required by the applicant, shall be made in accordance with the requirements of Annex A - A.3.

3.6 The factory/processing facility shall provide the NRCS with satisfactory evidence of conformity of production on request.

3.7 The factory/processing facility shall inform the NRCS of any change in process of production affecting any mandatory requirement of this Compulsory Specification. In the event of such change/s the NRCS may, at its discretion, demand the submission of fresh evidence of conformity or a new application for approval.

3.8 The factory/processing facility shall immediately report any failure, of whatever nature, to conform to the requirements of this Compulsory Specification to the NRCS.

3.9 Approval granted by the NRCS to a factory/processing facility in accordance with 3.2 of this Compulsory Specification, may be suspended and/or ultimately withdrawn upon detection of non-compliance to the provisions of this Compulsory Specification. Reasons of such suspension or withdrawal will be provided to the applicant in writing and the facility shall not sell the identified products. No new batch(es)/production(s) shall be produced after the suspension of the facility, until new approval is granted by the NRCS or corrective actions are concluded.

3.10 A factory/processing facility whose approval has been suspended, must re-apply to the NRCS in writing within three (3) months of the date of suspension for a reassessment, otherwise approval for the establishment to operate in terms of this Compulsory Specification will be withdrawn.

3.11 A factory/processing facility shall notify the NRCS in writing when its operation is closing down, three (3) months before the effective date.

3.12 The testing of canned meat products against the requirements of this Compulsory Specification shall be done by microbiological and chemical test facilities that are accredited to use the referenced test methods or any other accredited method validated against the reference method, and giving results that are better, or at least equal, to the accuracy of the reference method. In the case where there are no test facilities available in the Republic of South Africa that are in compliance with the foregoing, the NRCS shall determine which facilities may be used in terms of its Conformity Assessment Policy.

3.13 The NRCS may for the purposes of inspection and verification of products, sample products according to the regulatory risk based sampling plans.

3.14 There will be fees applicable as prescribed in the regulation R924 of 15 October 2010, published under the NRCS Act.

4 SPECIFIC REQUIREMENTS

4.1 The manufacture, production, processing and treatment of canned meat products shall comply with the requirements of the latest edition of SANS 1675.

4.2 Manufacturers shall implement and maintain as a minimum an acceptable Food Safety & Quality Management system such as the HACCP System as recommended by the Codex Alimentarius Commission.

4.3 In the event of an amendment or revision of the SANS 1675 standard, the factory / processing facility shall be in compliance with the amended or revised requirements within six (6) months of publication of the amended or revised standard unless otherwise declared by a special notice by the Minister. If evidence of compliance to such amendments or revisions cannot be provided, the approval of the factory / processing facility may be withdrawn.

Note: The required World Trade Organization (WTO) transparency provision will also be considered in this period.

5 MARKINGS AND LABELLING REQUIREMENTS

5.1 Canned meat products shall be marked in accordance with the requirements of the latest edition of SANS 1675 and shall include the official factory / processing facility number issued by the NRCS in accordance with section A 1.5 of this Compulsory Specification. In the case of imported products, a factory/processing number/ code applicable in the country of origin shall be made available to the NRCS.

ANNEX A

(Normative)

A.1 APPLICATION FOR APPROVAL OF THE FACTORY/PROCESSING FACILITY AND APPROVAL OF CANNED MEAT PRODUCTS IN THE REPUBLIC OF SOUTH AFRICA

The applicant shall apply to the NRCS for approval of the facility. The application shall be accompanied by the following:

A.1.1 Details of the factory / processing facility for which approval is sought;

A.1.2 Documentation and records in support of an effective product safety management system, as required by clause 4.1 and 4.2 of this Compulsory Specification and SANS 1675. For new factory / processing facilities, provisional approval may be given for a period of three months, in order to generate the required documentation and records;

A.1.3 Information required by the NRCS for the measures taken by the applicant to ensure ongoing conformity with the requirements of this Compulsory Specification;

A.1.4 Any reasonable additional information to clarify the application as requested by the NRCS; and;

A.1.5 The NRCS shall issue an official factory / processing facility number upon approval.

A.2 APPLICATION FOR APPROVAL OF IMPORTED CANNED MEAT PRODUCTS

A.2.1 Imported canned meat products must originate from a facility approved for export in the country of origin and have the applicable permits as required by DAFF.

A.2.2 The applicant shall apply to the nearest NRCS regional office as soon as the consignment is available (within thirty (30) calendar days) for sampling and visual inspection of the consignment. The NRCS will then conduct inspection and subsequent approval of the (imported) product (s).

A.2.3 Applicants shall supply details of the products per consignment for which inspection and approval is sought, by providing the following:

a) The applicable certificates as required by DAFF;

- b) A health guarantee certificate (Annex B) containing evidence that imported products originate from a facility approved for export in the country of origin per consignment, for which approval is sought. The NRCS may also request that specific testing be performed;
- c) Details of the imported product, bill of entry number (SARS release), quantity, batch codes and number of product per batch code(s), code list and bill of lading;
- d) The date and place where it will be available for sampling and inspection;
- e) Name and contact details of a contact person;
- f) The number(s) of the bill(s) of entry and the date authorized by Customs Officials; and
- g) The voyage number of the cargo carrier (vessel, aircraft) or registration number of vehicle.

A.2.4 Any reasonable additional information to clarify the application as requested by the NRCS.

A.3 APPLICATION FOR EXPORT OF CANNED MEAT PRODUCTS

A.3.1 For locally produced products, where applicants require approval for export, applicants shall supply evidence of NRCS approval required in Annex - A.1 (clause 3.3) to DAFF.

A.3.2 Canned meat products for export shall be approved by DAFF according to the Veterinary Procedural Notices (VPN).

A.4 GRANTING OF APPROVAL

A.4.1 The NRCS shall issue an approval certificate, to the applicant when all the requirements of this Compulsory Specification have been met.

A.4.2 The NRCS shall assign a unique number to each approval certificate.

A.4.3 An approvals certificate shall be the sole proof of approval by the NRCS.

A.4.4 Once a factory/processing facility is approved, the NRCS will issue an establishment number.

A.5 WITHDRAWAL OF APPROVAL

Any approval granted in respect of canned meat products to the factory / processing facility pursuant to this Compulsory Specification may be withdrawn at any time without prior notice, if compliance with the requirements of this Compulsory Specification have not been maintained. Re-applications will be treated as new applications.

ANNEX B

B.1 HEALTH GUARANTEES FOR IMPORTED CANNED MEAT PRODUCTS REGULATED UNDER THE NRCS

(ON AUTHORITY'S OFFICIAL LETTERHEAD) Reference no.

Country of dispatch:

Competent Authority:

Inspection Authority:

I. Identification of products

True description of product:

-Animal species name:

-Presentation of product and type of treatment:

Batch Identification Marks /Code/s.....

Type and Manner of Packaging:

Number of Packages/Units

Net weight Gross weight

Temperature: Chilled (semi-preserved products)

Ambient

II. Origin of Products

Name and address of approved factories/processing facilities

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Approval number:

Place of loading/ dispatch:

III. Destination of products:

Country of destination:

Port of entry

Transport details: Sea Freight / Air freight /Other.....

Container number / Flight details:

Seal number/ air waybill number:

Consignor name and address:

Consignee name and address:

IV. Health attestation

The official inspector hereby certifies that:

1. The canned meat products specified above, have been farmed (where applicable), processed, packed and stored in a facility/ies approved by the Competent Authority.
2. The canned meat products comply/ies with the particular CODEX Standard for the specific product/s or where there is no such Standard, with the Compulsory Specifications/Technical Regulations legislated by the Republic of South Africa in terms of the National Regulator for Compulsory Specifications Act, 2008 (Act No.5 of 2008) as amended through the Legal Metrology Act, 2014 (Act No. 9 of 2014). and contained and referenced in the Compulsory Specification.
3. The processing plant/s specified above, is/are subject to regular inspection/audit by the Competent Authority in that country to ensure that production, processing practices and food safety systems are in compliance with requirements of the most updated versions of the general CODEX Principles for Food Hygiene and HACCP (CAC/RCP- 1969) and any animal health requirements to be controlled in terms of OIE Directives.
4. All products imported into the Republic of South Africa in terms of this Compulsory Specification shall comply with marking requirements as prescribed by the relevant National Legislations.
5. The products above:
 - 5.1. are free from microorganisms or substances originating from microorganisms in amounts as prescribed by relevant national legislation;
 - 5.2. shall not contain any other substances in amounts that may present a hazard to human health in accordance with relevant National Legislation.

Signed at

Name and qualifications of official Inspector

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Signature of official Inspector

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Official Stamp with date