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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HEALTH DEPARTEMENT VAN GESONHEID

No. R. 127

17 February 2011

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972

(ACT NO. 54 OF 1972)

REGULATIONS RELATING TO *TRANS*-FAT IN FOODSTUFFS

The Minister of Health has, in terms of section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972) made the regulations in the Schedule.

SCHEDULE

1. Definitions

In these regulations-

“**conjugated linoleic acid (CLA)**” means bacterial metabolites mainly found in products from ruminant animals, e.g. dairy products and beef, that comprise a family of geometric and positional isomers of linoleic acid with two conjugated double bonds, of which there are two major forms, namely *cis*9, *trans*11-CLA (*c9,t11-CLA*) and *trans*10, *cis*12-CLA, (*t10,c12-CLA*);

“**industrially produced *trans*-fatty acids**” means all the geometrical isomers of monounsaturated fatty acids with one *trans* double bond, i.e. C14:1, C16:1, C18:1, C20:1, C22:1, and polyunsaturated fatty acids with one or more *trans* double bonds, i.e. C18:2, C18:3, C20:2, C22:2 having non-conjugated, interrupted by at least one methylene group, carbon-carbon double bonds in the *trans* configuration and excludes natural *trans*-fatty acids;

“**natural *trans*-fatty acids**” means an unsaturated fatty acid with one or more isolated or non-conjugated double bonds, interrupted by at least one methylene group, in a *trans*-configuration consisting mainly of vaccenic acid (VA) [18:1(n-7)] or conjugated linoleic acid (CLA);

“**the Act**” means the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), and any expression to which a meaning has been assigned in the Act shall bear such meaning;

“**Trans-Fat**” has a corresponding meaning as “industrially produced *trans*-fatty acids”;

“**vaccenic acid (VA)**” means 18:1 *trans*-11 [18:1(n-7)] and is a geometric and positional isomer of oleic acid with a single double bond and is the precursor of conjugated linoleic acid (CLA).

2. Maximum *Trans*-Fat content of foodstuffs

(1) In line with section 2(1)(a)(iv) of the Act, the sale, manufacturing and importation of any oils and fats, including emulsions with fat as the continuous phase, either alone or as part of processed foods, which are intended for human consumption or assumed to be intended for human consumption, in the retail trade, catering businesses, restaurants, institutions, bakeries et cetera, of which the content of *Trans*-Fat exceeds 2 grams per 100 grams of oil or fat, is prohibited.

(2) Subject to sub-regulation 2(1) and regulation 4, in cases where *Trans*-Fat in the end product may be deriving from both partially hydrogenated fat or oil in an ingredient or additive, as well as from ingredients from ruminant animal origin, the *Trans*-Fat content per individual ingredient at the mixing bowl stage-

- (a) shall be kept on record for the purpose of compliance with these Regulations; and
- (b) subject to regulation 3, where the claim “*Trans*-Fat free” is made, the *Trans*-Fat content which shall be declared in the table with nutritional information on the label shall, be the sum of analytical values per individual ingoing ingredient, excluding natural *trans*-fatty acids.

3. Trans-Fat free claim

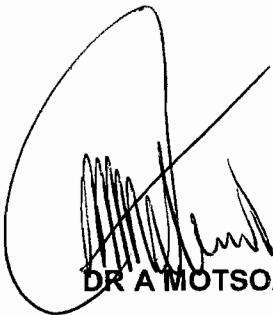
Where a claim that a foodstuff is "*Trans-Fat free*" is made on the label or in an advertisement, the content of *Trans-Fat* shall be less than 1 gram per 100 grams of the total fat or oil in the final product.

4. Methodology

The methodology to analyse for *Trans-Fat* content as referred to in Annexure 1 shall be used.

5. Commencement

These regulations shall come into operation six (6) months after the date of final publication.



DR A MOTSOLEDI, MP

MINISTER OF HEALTH

DATE: 6/2/2011

ANNEXURE 1**METHODOLOGY FOR THE DETERMINATION OF *TRANS*-FATTY ACIDS IN FOODSTUFFS**

1. The preferred method for analyzing the content of *trans* fatty acids in foodstuffs, other than those from ruminant animals, shall be the latest updated version of AOAC 996.06 or AOCS Ce 1h-05; or a combination thereof.

2. The preferred GC column shall be at least 100 m in length with a highly polar stationary phase containing at least 70 – 100% cyanopropyl silicone. Column performance must match the *cis/trans* fatty acid methyl esters (FAME) separation criteria specified in AOCS Method Ce 1h-05. Current recommended columns that meet the above requirements are the CP-Sil 88 (part no. CP7489, Varian, Walnut Creek, CA, USA), HP-88 (part no. 112-88A7, Agilent/J&W, USA), SP-2560 (part no. 24056, Sigma-Aldrich/Supelco Inc., Bellefonte, PA, USA), BPX-70 (part no. 054624, SGE, SGE Inc., Austin Texas, USA).

3. An internal standard shall be used for quantification eg: C11:0, C13:0, C17:0, C21:0.

4. The molecular weights of free fatty acids, FAME and tricylglycerols required for calculating the theoretical flame ionization detector correction factor (TCF) relative to a specific internal standard are listed in Table 3 of the following reference:

De Vries JW, Kjos L, Groff L, Martin B, Cernohous K, Patel H, Payne M, Leichtweis H, Shay M and Newcomer L. 1999. Studies in improvement of official method 996.06. *Journal of AOAC International*, 82(5): 1146-1155.

5. To avoid chromatographic artefacts, it is recommended to adhere to the shelf-life of the specific transesterification reagent used, i.e. hydrogen chloride in methanol, sulphuric acid in methanol or boron trifluoride in methanol (BF₃-MeOH).

Refer to: Christie WW. 1989. The preparation of derivatives of fatty acids. In: *Gas chromatography and lipids*. The Oily Press, Bridgwater, UK, pp 64-84;

and;

Ratnayake WMN and Cruz-Hernandez C. Analysis of *trans* fatty acids of partially hydrogenated vegetable oils and dairy products. 2009. In: *Trans Fatty Acids in Human Nutrition*. 2nd Edition. Eds. Destailats F, Sebedio J-L, Dionisi F, Chardigny J-M. The Oily Press, Bridgwater, UK, pp 105-146.

No. R. 128

17 Februarie 2011

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT 54 OF 1972)**ENFORCEMENT BY LOCAL AUTHORITY**

I, Dr A Motsoaledi, Minister of Health, hereby authorise under section 23 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972)), the following local authorities to enforce sections 10 (3) (b), 11 and 24 of the said Act within their area of jurisdiction and through duly authorised officers:

Bojanala Platinum District Municipality
 Amajuba District Municipality
 Thabo Mofutsanyana District Municipality

The authorization of the local authorities included in the schedule below are hereby withdrawn in terms of section 23 (3) of the Act:

LOCAL AUTHORITY	GOVERNMENT NOTICE
Brits	R 2423 of 1980
Hartebeespoort	R 267 of 1987
Village Council of Koster	R 395 of 1985
Town Council of Rustenburg	R 2052 of 1981
Dannhauser	R 82 of 1980
Paulpietersburg	R 2840 of 1979
Vryheid	R 2121 of 1979
Drummond	R 1129 of 1991
Richmond Village Management Board	R 214 of 1984
Natal Local Health Commission	R 411 of 1974
Bethlehem	R 2601 of 1980
Clocolan	R 1855 of 1988
Harrismith	R 2371 of 1978
Reitz	R 1323 of 1975
Senekal	R 215 of 1975
Vrede	R 78 of 1982
Warden	R 2226 of 1978

DR A. MOTSOALEDI
MINISTER OF HEALTH
DATE:

DEPARTEMENT VAN GESONHEID

No. R. 127

17 Februarie 2011

WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN ONTSMETTINGSMIDDELS,
1972

(WET NO. 54 OF 1972)

REGULASIES BETREFFENDE *TRANSVET* IN VOEDINGSMIDDELS

Die Minister van Gesondheid het kragtens artikel 15 (1) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), die regulasies in die Bylae hierby uiteengesit, uitgevaardig.

BYLAE

1. Woordomskrywing

In hierdie regulasies-

“**gekonjugeerde linoleïensuur (CLA)**” beteken bakteriële metaboliete wat hoofsaaklik te vind is in produkte wat afkomstig is van herkouende diere, byvoorbeeld suiwelprodukte en beesvleis, wat bestaan uit ‘n familie van geometriese en geposisioneerde isomere van linoleensuur met twee gekonjugeerde dubbelbindinge, waarvan daar twee hoof vorme is naamlik *cis9, trans11-CLA* (*c9,t11-CLA*) and *trans10, cis12-CLA*, (*t10,c12-CLA*);

“**industrieevervaardigde *transvetsure***” beteken al die geometriese isomere van mono-onversadigde vetsure met een *trans*dubbelbinding naamlik C14:1, C16:1, C18:1, C20:1, C22:1, en poli-onversadigde vetsure met een of meer *trans*dubbel bindinge, naamlik C18:2, C18:3, C20:2, C22:2 wat nie-gekonjugeerde koolstof-koolstof bubbel bindinge in die *trans* konfigurasie het, onderbreek deur ten minste een metieleen groep, en sluit natuurlike *transvetsure uit*;

“natuurlike *transvetsure*” beteken ‘n onversadigde vetsuur met een of meer geïsoleerde of nie-gekonjugeerde dubbelbinding(e), wat onderbreek is deur ten minste een metileen groep in ‘n *trans*konfigurasie, wat hoofsaaklik bestaan uit “vaccenic”suur (VA) [18:1(n-7)] of gekonjugeerde linoleïensuur (“CLA”);

“die Wet” beteken die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), en het enige uitdrukking waaraan daar ‘n betekenis geheg is in die Wet, daardie betekenis;

“*Transvet*” het dieselfde betekenis as industrieelvervaardigde *transvetsure*;

“vaccenic”suur” (VA) beteken 18:1 *trans*-11 [18:1(n-7)] en is ‘n geometriese en posisionele isomer van oleïensuur en is die voorloper van gekonjugeerde linoleïensuur (“CLA”).

2. Maksimum *Transvet* inhoud van voedingsmiddels

(1) In ooreenstemming met artikel 2(1)(a)(iv) van die Wet, word die verkope, vervaardiging en invoer van enige vet of olie, insluitende emulsies met vet in die aaneenlopende fase, individueel of as deel van geprosesseerde voedingsmiddels, wat bedoel is vir menslike inname of wat aanvaar kan word bedoel is vir menslike gebruik, in die kleinhandel, spysenierings besighede, restaurante, instelling, bakerye, ensovoorts, verbied indien die *Transvet* inhoud 2 gram per 100 gram van die vet of olie daarvan oorskrei.

(2) Behoudens sub-regulasie 2(1) and regulasie 4, in gevalle waar *Transvet* in die eindproduk afkomstig mag wees van beide gedeeltelike gehidrogeneerde vet of olie in ‘n bestanddeel of additief, sowel as van bestanddele van herkouende diere, sal die *Transvet* inhoud per individuele bestanddeel op die mengbak stadium-

(a) op rekord geplaas word vir die doel van die nakoming van hierdie Regulasies;
en

(b) behoudens regulasie 3, waar die aanspraak “*Transvetvry*” gemaak word, die *Transvet* inhoud verklaar word in die tabel met voedingkundige inligting op die etiket, en sal die *Transvet* die somtotaal wees van die geanaliseerde waardes van elke individuele ingaande bestanddeel, uitgesluit natuurlike *transvetsure*.

3. Transvetvry aanspraak

Waar die aanspraak dat 'n voedingsmiddel "*Transvetvry*" is gemaak word op die etiket of in 'n advertensie, sal die *Transvet* inhoud minder wees as 1 gram per 100 gram van die totale vet of olie in die eindproduk.

4. Metodologie

Die metodologie om te analiseer vir *Transvet* soos uitgestippel in Aanhangsel 1 sal gebruik word.

5. Inwerkingtreding

Hierdie regulasies tree in werking ses (6) maande na die datum van finale publikasie.



DR A MOTSOLEDI, MP
MINISTER VAN GESONDHEID

DATUM: 6/2/2011

AANHANGSEL 1**METHODE VIR DIE BEPALING VAN TRANSVET IN VOEDINGSMIDDELS**

1. Die metode van voorkeur vir die bepaling van die *Transvet*inhoud van voedingsmiddels, uitgesluit *transvet* afkomstig van herkouende diere, sal die nuutste opgedateerde weergawe van "AOAC 996.06" of "AOCS Ce 1h-05" of 'n kombinasie daarvan wees.
2. Die GC kolom van voorkeur moet ten minste 100 m lank wees met 'n hoogs polêre vastefase wat ten minste uit 70 -100% sianopropielsilikon bestaan. Die kolom se werkverrigting moet met die *cis/trans* vetsuurmetielesters (VME) skeidingsmaatstawwe, soos gespesifiseer deur die AOCS Metode Ce 1h-05, ooreenkom. Aanbevole kolomme wat tans aan die bogenoemde vereistes voldoen, is die CP-Sil 88 (item nr. CP7489, "Varian, Walnut Creek, CA, USA"), HP-88 (item nr. 112-88A7, Agilent/J&W, USA), SP-2560 (item nr. 24056, Sigma-Aldrich/Supelco Inc., Bellefonte, PA, USA), BPX-70 (item nr. 054624, SGE, SGE Inc., Austin, Texas, USA).
3. 'n Interne standaard sal gebruik word vir kwantifisering bv. C11:0, C13:0, C17:0, C21:0.
4. Die molekulêre gewigte van vry vetsure, VME en tri-asielgliserolewat benodig word vir die berekening van die teoretiese vlam-ionisasiedetektor se regstellingsfaktor (TRF) relatief tot 'n spesifieke interne standaard word gelys in Tabel 3 van die volgende verwysing:
De Vries JW, Kjos L, Groff L, Martin B, Cernohous K, Patel H, Payne M, Leichtweis H, Shay M and Newcomer L. 1999. Studies in improvement of official method 996.06. *Journal of AOAC International*, 82(5): 1146-1155.
5. Om chromatografiese artefakte te vermy, word aanbeveel dat gehou sal word by die raklewe van die spesifieke transesterifikasiereagens wat gebruik is, bv. Waterstofchloried in methanol, swawelsuur in methanol of boortrifluoried in methanol (BF₃-MeOH).
Verwys na: Christie WW. 1989. The preparation of derivatives of fatty acids. In: *Gas chromatography and lipids*. The Oily Press, Bridgwater, UK, pp 64-84;
and;
Ratnayake WMN and Cruz-Hernandez C. Analysis of trans fatty acids of partially hydrogenated vegetable oils and dairy products. 2009. In: *Trans Fatty Acids in Human*

Nutrition. 2nd Edition. Eds. Destailats F, Sebedio J-L, Dionisi F, Chardigny J-M. The Oily Press, Bridgewater, UK, pp 105-146.

**WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN
ONTSMETTINGSMIDDELS, 1972 (WET NO. 54 VAN 1972)**

TOEPASSING DEUR PLAASLIKE BESTUUR

Ek, Dr A Motsoaledi, Minister van Gesondheid, magtig hierby kragtens artikel 23 (1) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), die ondergenoemde plaaslike owerhede om binne hulle regsgebiede en deur middel van behoorlik gemagtigde beamptes, artikels 10 (3) (b), 11 en 24 van genoemde Wet uit te voer:

Bojanala Platinum Distrik Munisipaliteit
Amajuba Distrik Munisipaliteit
Thabo Mofutsanyana Distrik Municipaliteit

Die magtiging van die plaaslike owerhede soos ingesluit in die ondergenoemde skedule en wat tans binne die regsgebied van voorgenoemde plaaslike owerhede gelee is, word hiermee ingetrek binne die bepalings van artikel 23 (3) van die Wet:

PLAASLIKE OWERHEID	GOEWRMENTS – KENNISGEWING
Brits	R 2423 of 1980
Hartebeespoort	R 267 of 1987
Village Council of Koster	R 395 of 1985
Town Council of Rustenburg	R 2052 of 1981
Dannhauser	R 82 of 1980
Paulpietersburg	R 2840 of 1979
Vryheid	R 2121 of 1979
Drummond	R 1129 of 1991
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Clocolan	R 1855 of 1988
Harrismith	R 2371 of 1978
Reitz	R 1323 of 1975
Senekal	R 215 of 1975
Vrede	R 78 of 1982
Warden	R 2226 of 1978

DR A. MOTSOALEDI
MINISTER VAN GESONDHEID
DATUM: