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GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRADE AND INDUSTRY

NO. 1058

08 AUGUST 2019

**NATIONAL REGULATOR FOR COMPULSORY SPECIFICATIONS ACT
(Act No. 5 of 2008), AS AMENDED THROUGH THE LEGAL METROLOGY
ACT (Act No. 9 of 2014)**

**COMPULSORY SPECIFICATION FOR PROCESSED MEAT PRODUCTS
(VC 9100)**

I, Ebrahim Patel, Minister of Trade and Industry, under Section 13 (1) (a) of the National Regulator for Compulsory Specifications Act (Act 5 of 2008) hereby declare the Compulsory Specification as set out in the attached schedule, effective within two (2) months from the date of publication of this notice.



Ebrahim Patel
Minister of Trade and Industry

VC 9100**COMPULSORY SPECIFICATION FOR PROCESSED MEAT PRODUCTS****SCHEDULE****1 SCOPE**

1.1 This Compulsory Specification applies to the handling, preparation, processing, packaging, refrigeration, freezing, chilling, labeling, marking and storage of heat treated and ready to eat (RTE) processed meat products covered in the scope of SANS 885, *processed meats products*; and it includes the microbiological and food safety related compositional requirements of these products. The classes of processed meats products are identified as heat treated and ready to eat (RTE) categorized in the respective classes and unspecified RTE products listed in clause 5.3 of SANS 885, which are as follows:

- a) Whole muscle, cured, heat treated products
- b) Whole muscle, uncured, heat treated or partial heat treated and RTE products;
- c) Comminuted, cured, heat treated products;
- d) Comminuted, uncured and heat treated products;
- e) Reformed, cured, heat treated;
- f) Unspecified class i.e. Any other unspecified RTE processed meats product; and
- g) RTE products which are not going to be cooked before consumption with the exclusion of dried and fermented processed meat products i.e. partially heat treated products and RTE e.g. SALAMI.

1.2 The requirements for canned meats, raw boerewors, species sausages, mixed species sausages, poultry meat and red meat (cattle, sheep, goat and pig) which are untreated or treated in such a way that the product still looks like a normal raw carcass, cut, portion or pieces (whether fresh or frozen), all of which are governed by other relevant national legislation, are excluded from this Compulsory Specification. The compositional and grading requirements covered under the scope of the Agricultural Product Standards Act, 1990 (Act No 119 of 1990) are excluded from this Compulsory Specification.

1.3 Shops, retail, hotels, boarding houses, delis, butcheries restaurants or other eating establishments that do not manufacture processed meat products other than for inclusion in prepared cooked meals served from the establishment are excluded from the scope of this Compulsory Specification.

Note: A shop or butchery involved in the manufacturing of processed meat products for sale is regarded as a factory/processing facility (see 2.2.6 of this Compulsory Specification).

2 DEFINITIONS

2.1 For the purposes of this Compulsory Specification the definitions in SANS 885: '*Processed 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 producer, processor, packer, importer or exporter applying for approval of the product, or for conformity of production as per the contents of the application. The producer, packer, importer or exporter shall be established within the Republic of South Africa.
- 2.2.2 approval:** a 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. 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:** an acceptable evidence of compliance of the handling, preparation, processing, or packaging of product for heating, ~~drying~~, chilling, or freezing (or a combination thereof) in the course of being or having been heated, dried, chilled or frozen, including the process of suitable storage, as indicated by the context of this Compulsory Specification.
- 2.2.5 factory/processing facilities:** a premises preparing, handling, treating, processing, producing or packaging processed meat products covered by this Compulsory Specification, and includes a shop or butchery involved in the manufacturing of processed meat products for commercial purposes.
- 2.2.6 HACCP (Hazard Analysis and Critical Control Point):** a system which identifies, evaluates, and controls hazards that are significant to food safety particular to a specific product or product type.
- 2.2.7 NRCS:** the National Regulator for Compulsory Specifications as established by the National Regulator for Compulsory Specifications Act, 2008 (Act No. 5 of 2008).
- 2.2.8 food safety management system:** a food safety management system implemented by a factory based on the principles of HACCP as recommended by the Codex Alimentarius Commission.
- 2.2.9 relevant national legislation:** 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), Agricultural Products Standards Act, 1990 (Act 119 of 1990 and applicable regulations, as amended from time to time.

3 GENERAL ADMINISTRATIVE REQUIREMENTS

- 3.1** All processed meat products (as defined in Scope of VC) to be offered for sale shall comply with the requirements of this Compulsory Specification.
- 3.2** The factory/processing facility for processed 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. Such approval shall be reviewed annually or more frequently as determined by the NRCS.
- 3.3** The factory/processing facility shall not dispatch or sell a processed meat product from the facility without a valid NRCS approvals certificate for the factory/processing facility.
- 3.4** Application for approval of the product(s) shall be made to the NRCS for every consignment of processed 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 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 food safety 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 food safety failure, of whatever nature, to conform to the requirements of this Compulsory Specification to the NRCS. Detailed records of food safety failure of whatever nature, stipulating corrective actions taken shall be made available to the NRCS.
- 3.9** Approval granted by the NRCS to a factory/processing facilities 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 or if the applicant fails to re-apply as required. 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 / establishment which is suspended must re-apply to the NRCS within three 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: Provided that in the case of failure of food safety related chemical requirements of a specific product, individual products will be evaluated per product or product grouping.
- 3.11** A factory / establishment shall notify the NRCS when closing down.
- 3.12** The testing of processed meat products against the requirements of this Compulsory Specification shall be done by microbiological and food safety

related 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 conformance 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** Fees and /or levies shall be applicable as prescribed in the regulation R924 of 15 October 2010 as amended from time to time, published under the NRCS Act.

4 SPECIFIC REQUIREMENTS

- 4.1** The following shall comply with the requirements of the latest edition of SANS 885:
- a) The structure of the factory/processing facility and of equipment;
 - b) The handling, preparing, processing, producing, packaging, marking, labelling and storage of the product;
 - c) The product ingredients and composition related to safety of the product e.g. food additives, contaminants;
 - d) The test methods specified;
 - e) The hygiene requirements for the factory/processing facility, equipment and for employees; and
 - f) Microbiological requirements for the product
- g) **Note:** The labeling requirements in SANS 885 mainly reference the relevant national regulations under the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972).
- 4.2** The principles of HACCP, as recommended by the Codex Alimentarius Commission shall, as a minimum, be used for the implementation of a food safety management system.
- 4.3** In the event of an amendment or revision of the SANS 885 standard, the factory / processing facility shall be in compliance with the amended or revised requirements within six 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. Reason/s of such 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 withdrawal of the approval, until new approval is granted by the NRCS or corrective actions are concluded.

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

5 MARKINGS AND LABELLING REQUIREMENTS

- 5.1** Packed processed meat products shall be marked in accordance with the requirements of SANS 885 and trade descriptions for processed and dried packaged meat products: Consumer Protection Act, 2008 (Act 68 of 2008) – notice (No 285 of 25 October 2013) regarding categories of goods that are required to have a trade description applied to them.
- 5.2** In the case where the name and street address on the product is not that of the processor, manufacturer or packer (“the operator”), the allocated NRCS number must be reflected in the following manner: “EST NR: XYZ”, where XYZ is the number allocated by the NRCS. For imported processed meat products, a traceable form of the establishment registration number of the processor, manufacturer or packer (“operator”) must be indicated. The letter sizes shall comply with the labelling regulations as per national legislation.

ANNEX A

(Normative)

A.1 APPLICATION FOR APPROVAL OF THE FACTORY/PROCESSING FACILITY AND APPROVAL OF PROCESSED 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 facility for which approval is sought;
- A.1.2** Records and documentation as evidence of implementation of a food safety management system as required by clause 4.1 of this compulsory specification and SANS 885 (documented procedures and methods for Factory construction, layout and conditions);
- A.1.3** Test results for the processed meat products as prescribed in SANS 885 for a minimum period of three months preceding the application. The experimental permit will be issued to new facilities that have not been in production before the application will be given 3 to 6 months to provide documentation for A.1.2 and A.1.3;
- A.1.4** Details of the markings used on the packed product(s);
- A.1.5** Where required by the NRCS, guarantees that the product(s) complies with the prescribed testing requirements as per SANS 885. The NRCS may also request that specific testing be performed;
- A.1.6** Any reasonable additional information to clarify the application as requested by the NRCS;
- A.1.7** Information to the satisfaction of the NRCS regarding the measures taken by the applicant to ensure ongoing conformity with the requirements of this Compulsory Specification;
- A.1.8** The NRCS shall issue an official factory / processing facility number on approval of the factory / processing facility; and
- A.1.9** Evidence of a Certificate of Acceptability (COA) as required under relevant national legislation of the Department of Health.

A.2 APPLICATION FOR APPROVAL OF IMPORTED PROCESSED MEAT PRODUCTS

- A.2.1** Imported processed meat products must originate from a facility approved for export in the country of origin and be approved by the Department of Agriculture and Rural Development. The applicable permits as required by the Department of Agriculture and Rural Development (including OIE Directives).
- A.2.2** The applicant shall apply to the nearest NRCS regional office for approval of the product(s). The application shall be made at least **10 working days** prior to the **date on which it is needed**.

A.2.3 Applicants shall supply details of the processed meat products per consignment by providing the following information:

- a) 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;
- b) Where relevant, the applicable certificates as required by the Department of Agriculture and Rural Development;
- c) Evidence that the products come from the facility approved for export in the country of origin;
- d) Applicable evidence and/or certificate of analysis that product complies to the technical requirements set out in SANS 885;
- e) The date and place where it will be available for sampling;
- f) Name and contact details of a contact person;
- g) The number(s) of the bill(s) of entry and the date authorized by Customs Officials;
- h) The voyage number of the cargo carrier (vessel, aircraft or registration number of vehicle); and
- i) Evidence of a Certificate of Acceptability (COA) as required under relevant national legislation of the Department of Health for importer's premises in the Republic of South Africa.

A.3 APPLICATION FOR EXPORT OF PROCESSED 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 the Department of Agriculture and Rural Development.

A.3.2 Processed meat products for export shall be approved by the Department of Agriculture, and Rural Development 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 processed meat products or the facility pursuant to this Compulsory Specification may be withdrawn if compliance with the requirements of this Compulsory Specification has not been maintained. Re-application will be treated as new applications.