

South Africa update on Front of Package Labelling Development process

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R 3337

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HEALTH

NO. R. 3337

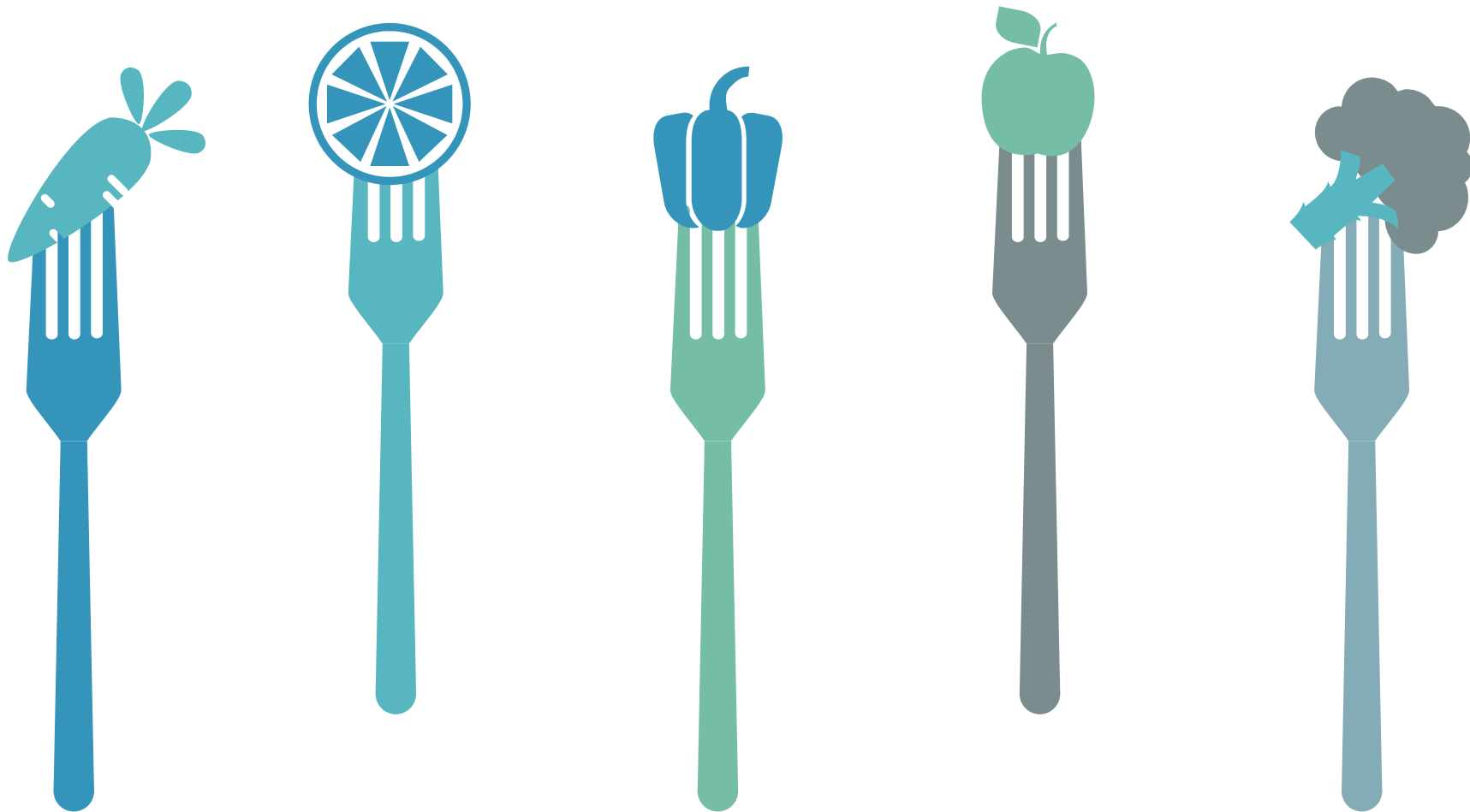
21 April 2023

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972
(ACT No.54 OF 1972)

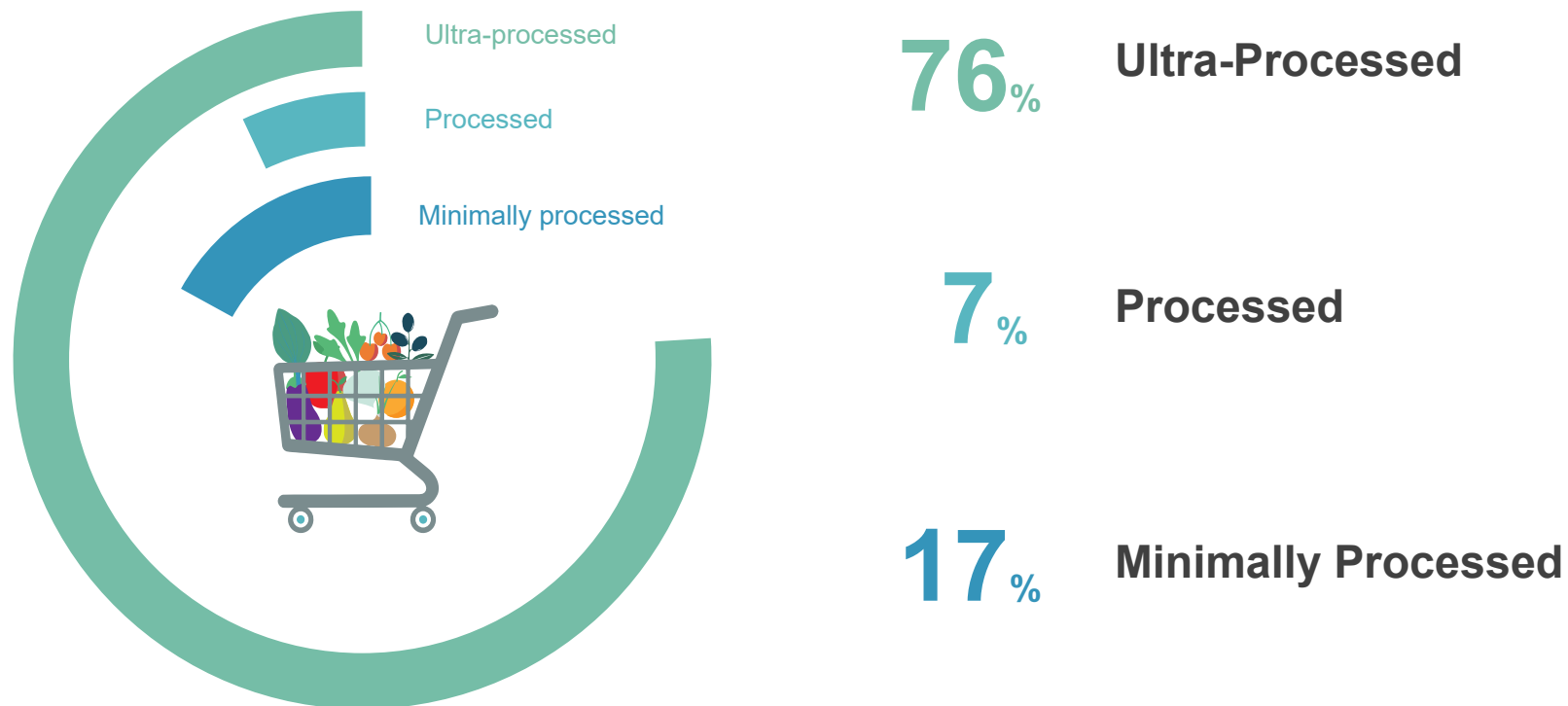
**REGULATIONS RELATING TO THE LABELLING AND ADVERTISING OF
FOODSTUFFS**



Dietary intake of low-income adults in South Africa

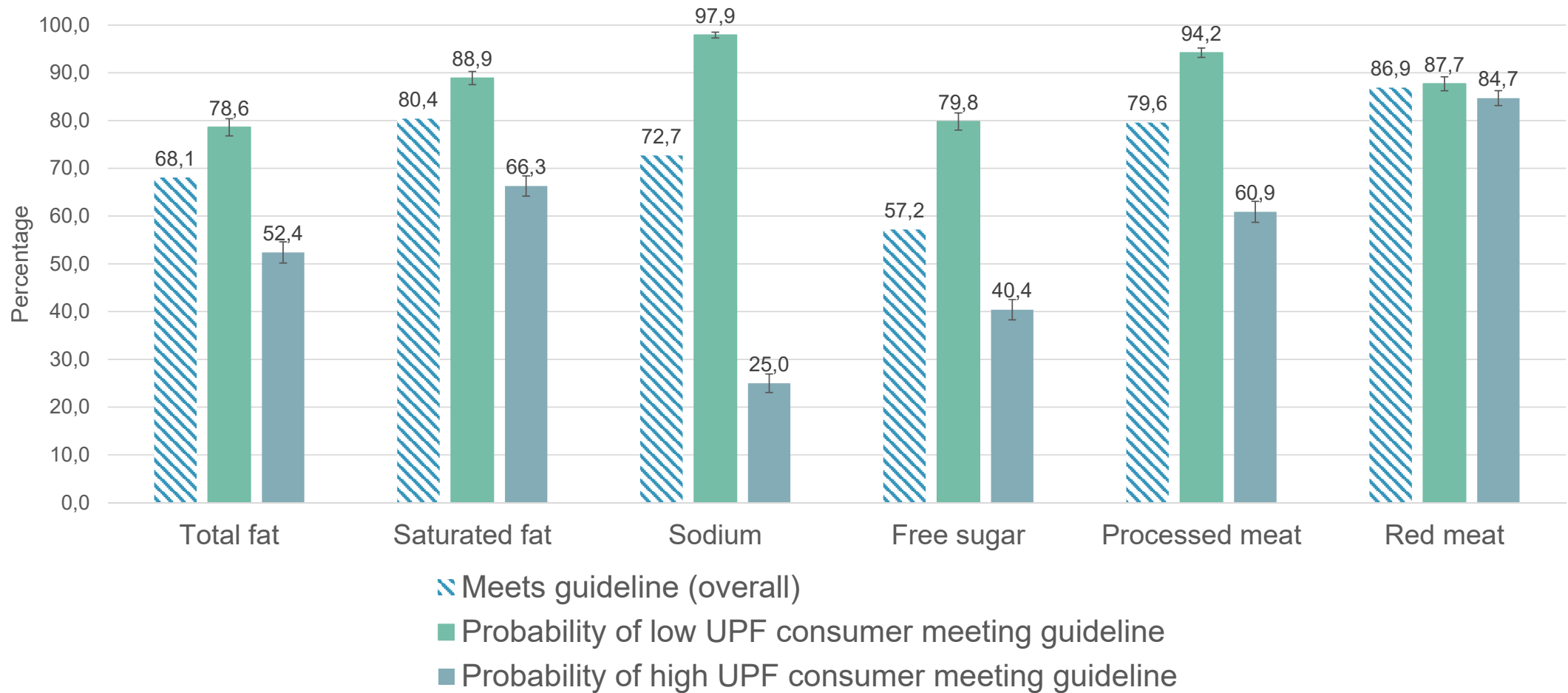


The SA food environment is skewed towards unhealthy food choices



Calculated from sample size of 6747 packaged products, that contained a nutrient information panel
Frank T, et al (2021). A Fit-for-Purpose Nutrient Profiling Model to Underpin Food and Nutrition Policies in South Africa. *Nutrients*, 13(8), p.2584.

Impact of UPF intake on meeting dietary guidelines to LIMIT

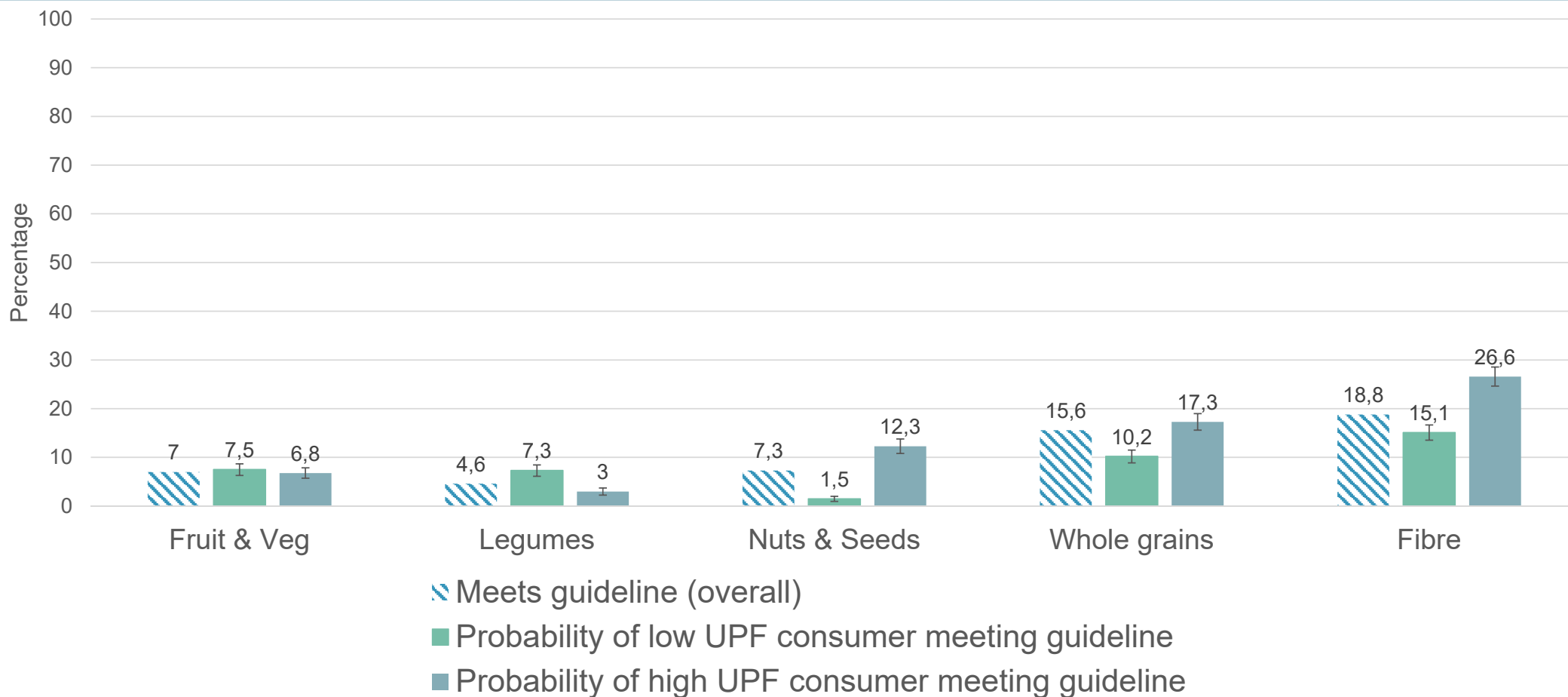


2521 low-income participants. Results adjusted for age, sex, household income & area of residence

Frank T, et al. Dietary intake of low-income adults in South Africa: Ultra-processed food consumption a cause for concern. Under review at Public Health Nutrition



Impact of UPF intake on meeting dietary guidelines to ENCOURAGE



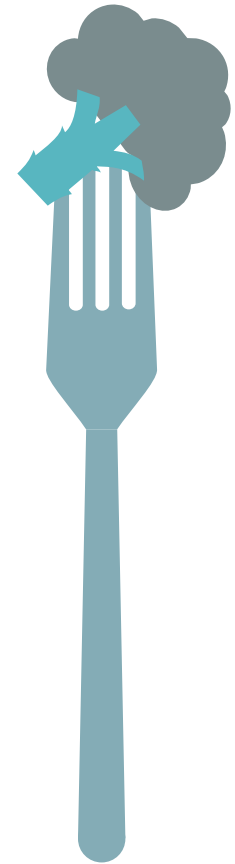
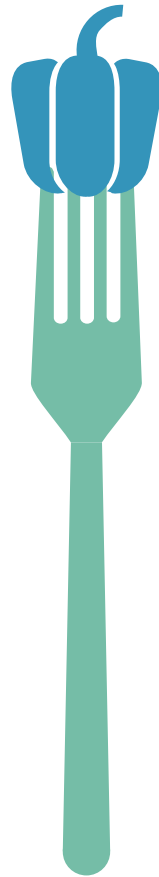
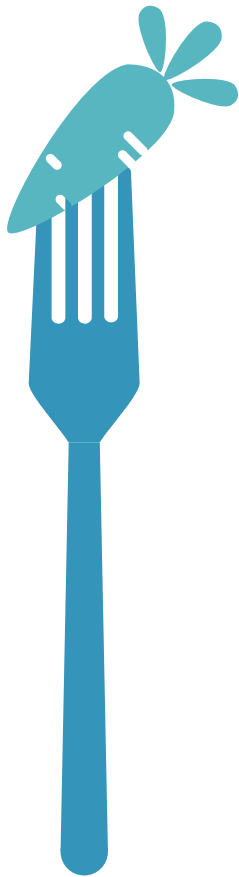
2521 low-income participants. Results adjusted for age, sex, household income & area of residence

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Nutrient Profiling Model



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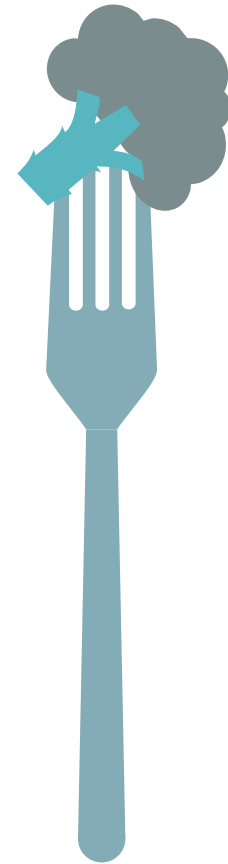
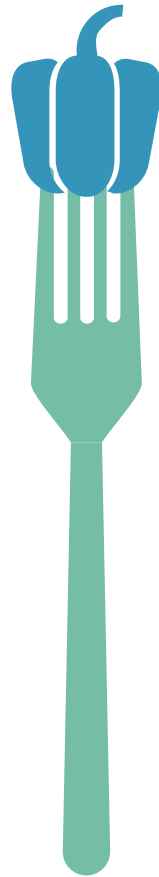
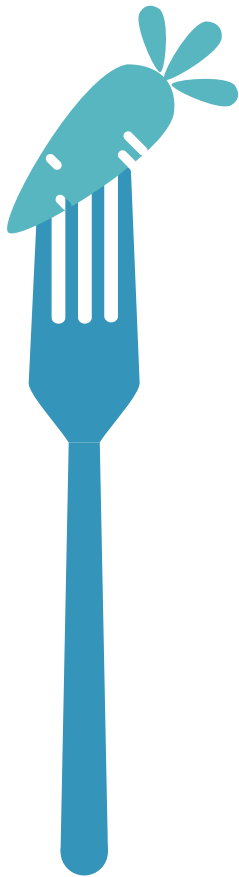
NPM Cut-Points per 100g / 100ml

Apply to all packaged foods and beverages

Contain any: Added sodium, free sugar, added saturated fat; non-sugar sweetener
Cut-points for solids (per 100g) and liquids (per 100ml) “as consumed”

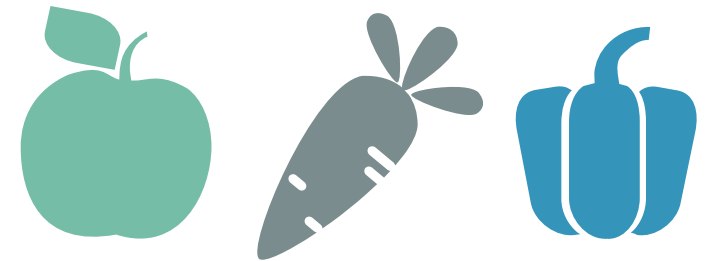


Developing a Front-of-package warning label



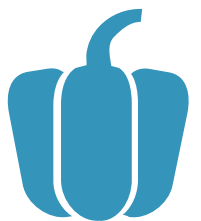
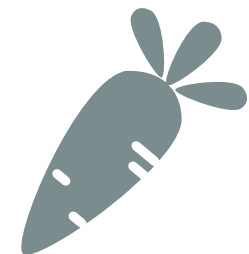
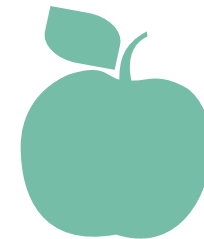
Warning label development qualitative methodology

- Aim:
 - Develop easy to understand FoP warning label irrespective of literacy level
- Objectives:
 - Explore consumers' opinions of front-of-package warning label
 - To explore the label design features depicting warning



Themes and subthemes

- **Positive attitude towards the warning label**
- **Perceived benefits of the warning label** (warns of health implications, educational, provides useful nutrition information, easily understandable, benefits child health, provides succinct information)
- **Perceived behaviour modification** (cautiousness; indifference toward warning labels)
- **Positive elements of warning labels** (visibility, colour, position, text, symbols)
- **Perceived beneficiaries of warning labels** (all consumers; individuals with medical conditions)



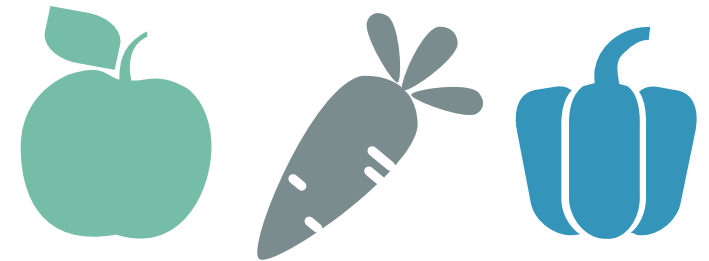
Positive elements of the warning label

- **Position**

- *“This label is right because it is placed in front, people will be able to notice before taking the product”* (female, middle-high income, literate, rural).

- **Visibility:**

“When you buy the yogurt, you can easily see the label” (male, low income, no literacy, urban).





RCT: Effect of different FoPLs on identification of unhealthy products in SA

- The primary objectives were to evaluate which front-of-package warning label would be best at:
 - Conveying information on nutrients of concern that are found in excessive amounts in packaged food products;
 - Conveying information on the unhealthiness of certain packaged food products; and
 - Discouraging consumers from purchasing unhealthy products carrying the label.

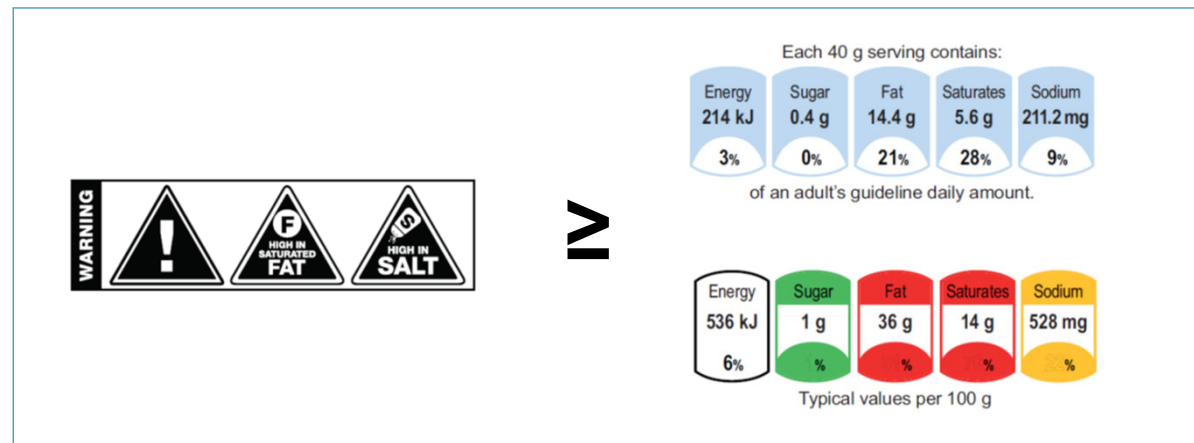


RCT: Effect of different FoPLs on identification of unhealthy products in SA

Randomly selected South Africans - Nationally representative sample (2505 intended 1951 achieved)

Randomised control trial: Within-between subject design

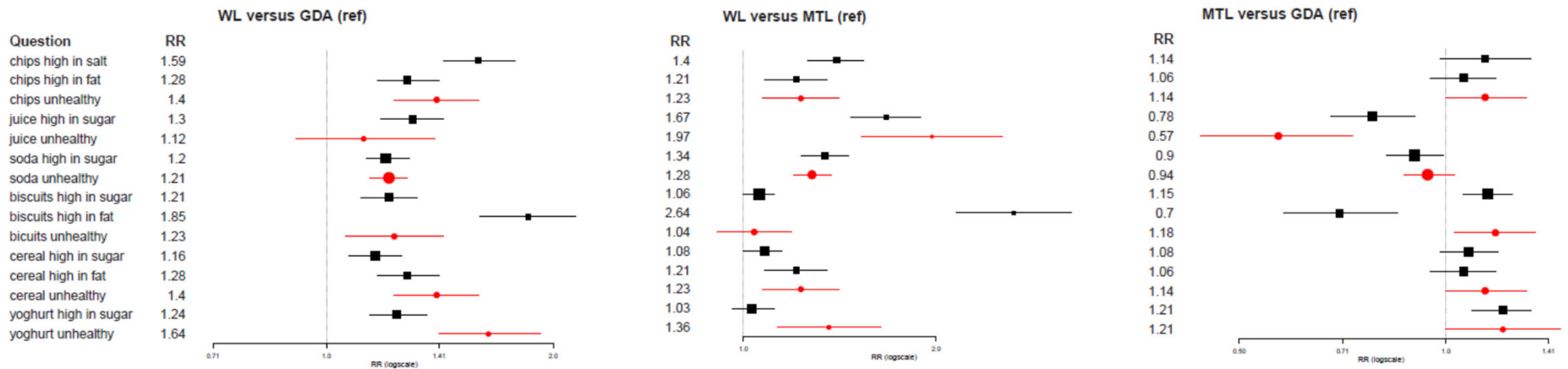
Hypothesis:



Difference independent of socio-demographic variables



Probability of correctly identifying products high in nutrients of concern / unhealthy



■ High in nutrients of concern

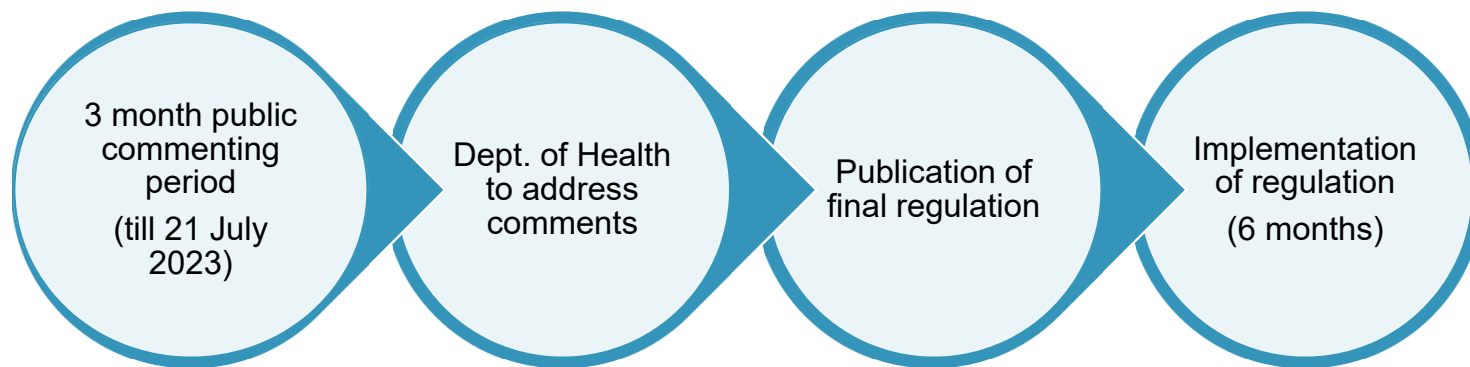
● Unhealthy

Bopape et al (2022). Effect of different front-of-package food labels on identification of unhealthy products and intention to purchase the products - A RCT in SA. *Appetite* 179: 106283



Publication of Draft Regulation

Current version: R3337 of 21 April 2023





FoPL Stipulations in Draft Regulation

FoPL layout requirements

- Top right-hand corner
- Black, with white holding strip
- 10-25% of the front-of-package

On-package marketing restrictions

- If a product carries a FoPL warning label it cannot:
 - Carry on-package marketing to children
 - No celebs, sports stars, animations
 - No tokens, gifts, collectable items
- Must display a warning label on products in television / print advertising





FoPL Stipulations in Draft Regulation

Health and Nutrition Claims

- If a product carries a FoPL warning label it cannot:
 - Carry a health or nutrition claim
 - Carry an endorsement logo
- If it does not carry a FoPL warning label health and nutrition claims can be considered:
 - Additional NPM assessment
 - Certain exclusions





Wins in the draft regulation

- Mandatory nutrition facts panel
- Using the proposed NPM in the regulation, including non-sugar sweetener
- Inclusion of FoPL warning labels
- Limitation on health and nutrition claims, and endorsement logos
- Inclusion of on-package marketing restrictions
- Inclusion of FoPL warning labels in television / print advertisements





Room for improvement in the draft regulation

- Confusion with terminology (artificial sweetener vs non sugar sweetener)
- Broader marketing restrictions
- Restrictions in the school food environment excluded
- Monitoring of health claim NPM is challenging without requiring on-package information on fruit and veg % etc.
- Lack of monitoring and evaluation plan
- Wrong version published (updated version being published)





Publications supporting the regulation

Published:

- Frank T, Thow AM, Ng SW, Ostrowski J, Bopape M and Swart EC (2021). A Fit-for-Purpose Nutrient Profiling Model to Underpin Food and Nutrition Policies in South Africa. *Nutrients*, 13(8), p.2584.
doi:10.3390/nu13082584
- Bopape M, Taillie LS, Frank T, Murukutla N, Cotter T, Majija L and Swart EC (2021). South African consumers' perceptions of front-of-package warning labels on unhealthy foods and drinks. *PloS one*, 16(9), p.e0257626. doi:10.1371/journal.pone.0257626
- Frank T, Ng SW, Miles DR and Swart EC (2022). Applying and comparing various nutrient profiling models against the packaged food supply in South Africa. *Public Health Nutrition* 25(8), pp.2296-2307.
doi:10.1017/S1368980022000374
- Bopape M, De Man J, Smith Taillie L, Ng SW, Murukutla N and Swart EC (2022). Effect of different front-of-package food labels on identification of unhealthy products and intention to purchase the products—A randomised controlled trial in South Africa. *Appetite* 179: 106283. doi:10.1016/j.appet.2022.106283
- Abdool Karim S, Kruger P and Hofman K (2022). Some Legal Issues around the Adoption of Simplified Nutrition Labelling in South Africa: An Analysis of Draft Regulation R429. *ESR Review #4 Volume 23 2022*. p21.



Publications supporting the regulation

Under review:

- Khan AS, Frank T, Swart EC. Child-directed marketing on packaged breakfast cereals in South Africa. Public Health Nutrition. Resubmitted after revision in October 2022
- Frank T, Ng SW, Lowery CM, Thow AM and Swart EC. Dietary intake of low-income adults in South Africa: Ultra-processed food consumption a cause for concern. Submitted to Public Health Nutrition September 2022 – currently R&R
- Abdool Karim S, Frank T and Kruger P. A human rights-based approach to Front of Package Labelling in South Africa. Submitted to De Jure June 2022
- Frank T, Ng SW, Thow AM and Swart EC. The potential effect of a front-of-package warning label policy for low-income adults in South Africa. Submitted to Plos One October 2022.
- Erzse A, Balusik A, Kruger P, Thsehla E, Swinburn B, Hofman KJ. Commentary on South Africa's Syndemic of Undernutrition, Obesity and Climate Change. South African Journal of Science. To be published April 2023.



Questions?

