



NAMIBIA FOOD SAFETY POLICY

To ensure food safety for all consumers in the Republic of Namibia, and provide sufficient food safety guarantees on all food products traded nationally, or exported to other countries

**As submitted to CABINET
by the Minister of Agriculture, Water and Forestry**

June 2014

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INTRODUCTION

1. Food safety is a key component of food security. Food security is deemed to exist “when all people at all times have access to sufficient, safe, nutritious food to maintain a healthy and active life”. Food can be considered to exist only if it is safe for human consumption. Food that contains microbial, chemical or physical contaminants does not contribute to food security, but rather is a risk to human health.
2. Attainment of national food safety requires close working collaboration of several stakeholders. These include persons who produce food, those who handle and transport it, processors who transform and pack food, food retailers, and food service organization such as restaurants and homes where food is prepared and served. Food safety is only possible when a ‘farm to fork’ control is applied, because the activities of those stakeholders on the upper part of the chain determine whether or not food will be safe at the ‘fork’, or consumer level.
3. Food safety affects trade, especially in agricultural and manufactured food items. Ordinarily, food not fit for human consumption is prohibited for sale nationally or internationally. The World Trade Organization, through its protocol on Sanitary and Phytosanitary (WTO-SPS) measures restricts trade in food to that which meets internationally agreed food safety standards as defined by the Codex Alimentarius Commission. Inadequate food safety measures in any country hinders trade in agricultural or animal produce, and this results in lack of income at farmer level, which exacerbates poverty.
4. It is the duty of all governments to assure food safety to all citizens. For this to happen, governments enforce legislation governing safe production, handling, processing, preparation and serving of food. Because of their wide range, these legislations involve several ministries and departments, hence require central coordination through a national food safety policy.
5. In Namibia, Food production is primarily the responsibility of Ministry of Agriculture, Water and Forestry, which is responsible for enforcing food safety regulations at production and primary handling level, including silos, pack-houses and slaughter houses. The Focal Point for all food safety issues is the Ministry of Health and Social Sciences. This acts as the point of information by other governments involved with food trade with Namibia on matters relating to compliance to food safety, in line with Codex Alimentarius Commission requirements. The Namibia Standards Institute under the Ministry of Trade and

Industry is responsible for implementing the Standards Act, which controls standards such as additives, processing aids, and all products traded in Namibia. Food safety issues in fish and fishery products in water up to catch and landing is controlled by Ministry of Fisheries and Marine resources, while standards of fish offered for trade, whether processed or not is the responsibility of Ministry of Trade and Industry. Food safety standards of plant and animal products exported from Namibia is the responsibility of Ministry of Agriculture, Water and Forestry. Registration of food business operators, including food retail and abattoirs for meat destined for national markets is done by regional authorities. The public health act, which is administered by Ministry of Health and Social Services, is aimed at regulating all matters relating to consumer food safety.

6. The Namibia Food safety Policy seeks to address the issue of overlapping mandates on food safety by various ministries, and also aspects that are currently not regulated by any agency. It will act as a central food safety policy document to coordinate government business on this important matter, and effectively regulate stakeholders involved in any aspect of food safety in Namibia.

POLICY STATEMENT

7. The Government of the Republic of Namibia is committed to ensuring that all food consumed within its borders, traded nationally or exported from Namibia is safe. To this effect, the Government will ensure effective implementation of a coordinated National food safety mechanism, guided by principles contained in this Policy.
8. Namibia food safety is essential in the goal of attainment of national food security. In this regard, the Government shall avail resources aimed at building the capacity of key stakeholders involved in food safety.

POLICY OBJECTIVES

9. The Namibia Food safety policy objective is to protect consumer health while facilitating trade in food. In order to achieve this objective, this policy ensures that control standards are established and adhered to as regards food production safety, food product hygiene, animal health and welfare, plant health and preventing the risk of contamination from external substances. It also lays down conditions for regulations on appropriate labelling for these foodstuffs and food products.

10. This policy is based on principles of risk assessment and prevention. This is in line with the approach 'From the Farm to the Fork', which guarantees a high level of safety for foodstuffs and food products marketed within Namibia, at all stages of the production and distribution chains. This approach involves both food products produced within Namibia and those imported from other countries.

Overall Objective

The overall objective of Namibia Food safety Policy is:

11. To ensure food safety for all consumers in the Republic of Namibia, and provide sufficient food safety guarantees on all food products traded nationally, or exported to other countries.

Specific Objectives

12. The Specific Objectives of this policy are to:
 - a) Define a national coordination mechanism on all aspects of food safety, thereby removing duplications by key Government ministries involved and hence promoting effective coordination and efficiency;
 - b) Facilitate development of Acts and Regulations on food safety by relevant ministries;
 - c) Enhance consumer confidence in food in Namibia by implementing standards and procedures based on international best practises at stakeholder level that assure food safety; and
 - d) Facilitate trade in food both nationally and with other countries by enforcing official control measures on food safety in line with international conventions.

APPLICATION

13. The national Food safety Policy is applicable to the following:
 - a. Government ministries responsible for food safety, including:

- i. Ministry of Agriculture, Water and Forestry;
 - ii. Ministry of Health and Social Sciences;
 - iii. Ministry of Fisheries and Marine Resources;
 - iv. Ministry of Trade and Industry; and
 - v. Ministry of Regional, Local Government, Housing and Rural Development
- b) All producers of food including plant and animal farmers, aquaculture farms, and fishers.
 - c) All persons or organizations involved in handling, transporting and storage of food
 - d) All persons or organizations involved in transformation of food including primary handling, slaughter, processing or packaging.
 - e) All persons or organizations involved in trade in food including retailing, wholesale, import or export of food.
 - f) All persons involved in food service including catering services, restaurants, hotels, street foods, ceremonial or social food service.

ORGANIZATIONAL RESPONSIBILITIES

Regulatory Responsibilities:

- 14. The ministry responsible for agriculture, for the time being the Ministry of Agriculture, Water and Forestry, is responsible for all regulatory functions relating to production and primary handling of safe food of animal or plant origin. This includes all regulations and standards on fresh produce, grain, insects, eggs, dairy, poultry and meat.
- 15. The ministry responsible for public health, for the time being the Ministry of Health and Social Services is responsible for all regulatory functions on consumer health relating to food safety. This includes regulations and standards on food offered or intended to be offered to consumers anywhere in the Republic of Namibia, including

food service or food business premises such as retail, restaurants, street foods or food at social or ceremonial gatherings.

16. The ministry responsible for fisheries, for the time being the Ministry of Fisheries and Marine Resources, is responsible for all regulatory activities on fisheries aquatic environment relating to food safety and primary handling of fish, including chilling, freezing, filleting, transportation and packaging.
17. The ministry responsible for trade, for the time being the Ministry of Trade and Industry through the Namibia Standards Institute is responsible for regulating all standards in the country. This includes all standards on processing and processed foods, food additives or processing aids, food labelling and packaging materials.
18. The ministry responsible for local authorities, for the time being Ministry of Regional, Local Government, Housing and Rural Development is responsible for licensing of all food service and food business operators within specific regional authorities. This includes regulations on conditions for registration and operation of a food service or food business. These responsibilities are delegated in line with Public Health Act by Ministry of Health and Social Services.

ESTABLISHMENT OF THE NAMIBIA FOOD SAFETY COUNCIL

19. There shall be a Namibia Food Safety Council, established by an Act of Parliament. This Council shall be the central Competent Authority on all matters of food safety. This Council shall not duplicate specific mandates of line ministries as outlined above, but shall perform its functions according to the following terms of reference:
 - a. Coordinating intervention activities on emergency food safety issues affecting several ministries. Such activities include:
 - i. National health emergency relating to food safety; and
 - ii. International food trade (import or export) concerns relating to food safety.
 - b. Drafting of Acts or Regulations on food safety which affect several ministries;
 - c. Maintenance of a national database and information on all food safety issues; and

- d. Official coordination of communication on all national food safety issues.
20. The members of the Namibia Food Safety Council shall be as follows:
 - a) The Permanent secretary or his/her representative of the ministry responsible for public health;
 - b) The Permanent secretary or his/her representative of the ministry responsible for agriculture;
 - c) The Permanent secretary or his/her representative of the ministry responsible for fisheries;
 - d) The Permanent secretary or his/her representative of the ministry responsible for trade and industry;
 - e) The Permanent secretary or his/her representative of the ministry responsible for local authorities;
 - f) Any other key stakeholder in food safety in Namibia as the Council shall determine.
 21. The Minister responsible for agriculture shall, in consultation with the minister responsible for public health, appoint a chairman of the Namibia Food Safety Council. The Ministry shall coordinate the implementation of the National Food safety Policy.
 22. The Minister responsible for public health shall be the coordinator of the Competent Authority structure on all consumer food safety matters in Namibia. The minister shall provide the secretariat for the Namibia Food Safety Council. This Secretariat shall be responsible for coordination of information on implementation various regulations in line with the Namibia Food Safety Act.

ESTABLISHMENT OF PRODUCT-SPECIFIC COMPETENT AUTHORITY STRUCTURES

23. There shall be product specific Competent Authority committees, gazetted by the line ministers responsible, as follows:
 - (a) The Directorate responsible for Veterinary Services in the ministry responsible for agriculture shall be the Competent Authority for food products of animal origin,

including meat, game, poultry, milk and eggs. This shall include animal feeds, fish meal and customary animal foods such as donkey, dog, and frog but shall exclude fish and fishery products.

1. The activities of this competent authority shall be coordinated by a committee consisting of one representative each of the following:
 - i. Directorate responsible for Veterinary Services;
 - ii. Directorate responsible for animal production;
 - iii. Meat Board;
 - iv. Directorate responsible for marketing in the ministry responsible for livestock production;
 - v. Ministry responsible for Local and Regional Governments;
 - vi. Namibia Standards Institute;
 - vii. Ministry responsible for fisheries;
 - viii. Ministry responsible for public health; and
 - ix. Ministry responsible for wildlife.
 2. The director of directorate responsible for Veterinary Services shall be chairperson of this competent authority committee.
 3. The minister responsible veterinary services shall gazette regulations and codes of practise for this committee.
- (b) The directorate responsible for plant production in the ministry responsible for agriculture shall be the Competent Authority for food of plant origin, such as grain and fresh produce. This shall include fertilizers, pest control products, wild plant products, honey and insects.

1. The activities of this competent authority shall be coordinated by a committee consisting of one representative each of the following:
 - i. Directorate responsible for plant production
 - ii. Agro marketing and trade agency (AMTA);
 - iii. AgribussDev;
 - iv. Namibia Agronomic Board
 - v. Directorate responsible for planning and marketing in the ministry responsible for crop production;
 - vi. Namibia Standards Institution;
 - vii. Ministry responsible for public health; and
 - viii. Ministry responsible for Local and Regional Governments

2. The director of directorate responsible for plant production shall be chairperson of this competent authority committee.
 3. The minister responsible veterinary services shall gazette regulations and codes of practise for this committee.
- (c) The directorate responsible for fisheries production and trade in the ministry responsible for fisheries shall be the Competent Authority on fish and fishery products, including aquaculture.
1. The activities of this competent authority shall be coordinated by a committee consisting of one representative each of the following:
 - i. Ministry responsible for fisheries;
 - ii. Namibia Standards Institute;
 - iii. Ministry responsible for water;
 - iv. Ministry responsible for veterinary services;
 - v. Ministry responsible for trade and industry;
 - vi. Ministry responsible for public health; and
 - vii. Ministry responsible for local authorities.
 2. The director of directorate responsible for fisheries marketing and trade shall be the chairperson of this competent authority committee.
 3. The minister responsible fisheries shall gazette regulations and codes of practise for this committee.
- (d) The ministry responsible for trade and industry through the Namibia Standards Institute shall be the technical chair of the Competent Authority structure on processed foods.
1. The activities of this competent authority shall be coordinated by a committee consisting of one representative each of the following:
 - i. Ministry responsible for trade and industry;
 - ii. Namibia Standards Institute;
 - iii. Ministry responsible for public health;
 - iv. Ministry responsible for crops and animal production; and
 - v. Ministry responsible for fisheries.
 1. The director responsible for food standards in Namibia Standards Institute shall be the chairperson of this competent authority committee.

2. The minister responsible trade and industry shall gazette regulations and codes of practise for this committee.

GUIDING PRINCIPLES

Food Safety Act

24. The Government shall enact the Namibia Food safety Act. This Act shall:
 - a) Establish a framework for controlling and monitoring the production, prevention and management of food safety risks.
 - b) Create the Namibia Food safety Council, which shall be the reference point for the scientific control and evaluation of food safety.

Food safety standards

25. Namibia shall develop and adopt food safety standards in line with international best practises and as guided by international conventions.
26. All food safety standards applicable in Namibia must ensure that no food stuff dangerous to health and/or unfit for consumption may be placed on the market or offered for consumption.
27. To determine whether a foodstuff is dangerous, the following shall be considered:
 - a) The normal conditions of use or household storage;
 - b) The information provided to the consumer;
 - c) The probable immediate or delayed effect on health;
 - d) The cumulative toxic effects;
 - e) The specific sensitivity of certain consumers.
28. Animal feed deemed to be unsafe cannot be placed on the market or fed to any food-producing animals.

Responsibilities of food production, business or food service operators

29. Food production, business or service operators are responsible for ensuring traceability of products in their possession, including with regard to substances incorporated into the foodstuffs. In enforcing traceability, the Government shall use

the ‘one step up, one step down principle. Operators shall implement risk-based procedures and standards that assure food safety.

30. When a food is harmful to human or animal health, food service or food business operators shall immediately initiate procedures to withdraw the product from the market and inform the regulators.
31. Where the product may have reached the consumer, the operator, in consultation with Government shall inform consumers and recall products already supplied.

The Precautionary Principle

32. Namibia shall apply the ‘precautionary principle’ in line with provisions of the WTO Sanitary and Phytosanitary Protocol to enable rapid response in the face of a possible danger posed by a food locally produced or imported to human, animal or plant health, or to protect the environment.
33. Recourse to this principle shall be used, where scientific data do not permit a complete evaluation of the risk, to stop distribution or order withdrawal from the market of products likely to be hazardous.

Training of food safety regulators

34. A person shall be authorised to perform the duties of a food safety regulator if they have received relevant training from an institution recognised by the Government of Namibia and/or organized via a process approved by the Namibia Food Safety Council or its members.
35. The curriculum of such training shall be evaluated for suitability by the Namibia Food Safety Council, and shall include areas of food, feed, animal health, and plant health. It shall include initiatives taken at international level, notably by the World Organisation for Animal Health (OIE), the Codex Alimentarius, the International Plant Protection Convention (IPPC) and the World Trade Organisation (WTO). These institutions provide guidelines on legislation which contribute to the smooth functioning of food markets while guaranteeing a high level of consumer protection.

Reference Laboratories

36. The government through the Namibia Food Safety Council shall facilitate the establishment of national food safety reference laboratories. These laboratories shall be accredited to international standards such as ISO 17025. They may be public or private owned, and shall be responsible for the following:

- a. Organising comparative testing, coordinating within their area of competence the practical and scientific activities necessary for adopting or developing analytical methods; and
- b. Conducting sampling and analysis on food safety matters. Data from recognised food safety national reference laboratories shall be reported to relevant competent authorities concerned for official control action.

National Enforcement Measures

37. Where non-compliance is ascertained during official controls, the competent authority concerned must take appropriate measures taking into account the nature of the non-compliance and the operator's past record with regard to non-compliance.
38. This may involve administrative measures (withdrawal from the market or destruction of a product, closure of a business or suspension of an establishment's approved status, etc.) or penalties. These penalties must be effective, proportionate and dissuasive.

Financing of official controls on food Safety

39. The government, through the line ministries concerned, shall gazette license and inspection fees on food business operators. These fees shall be set at levels that does not unduly affect cost of doing business, and shall be used to finance basic costs of official controls on food safety.
40. When official controls reveal non-compliance with regulations, the extra costs that result from more intensive controls must be borne by the feed and food business operator concerned.

Food Hygiene: General and specific provisions

41. Food business operators shall ensure that all stages for which they are responsible, from primary production up to and including the offering for sale or supply of foodstuffs to the final consumer, are carried out in a hygienic way in accordance with regulations.
42. Regulations shall be developed for the hygiene requirements for:
 - a) Training of food workers;
 - b) Food, food waste; and water supply;

- c) Food premises, including outside areas and sites;
- d) Temperature control during heat treatment;
- e) Cold chain management during transport conditions; equipment;
- f) Personal hygiene of persons in contact with food; and
- g) Migration and contamination during wrapping and packaging.

The HACCP System

- 43. All food business operators, other than primary food production, shall apply the principles of the system of hazard analysis and critical control points (HACCP) introduced by the Codex Alimentarius Commission.
- 44. Fishers, and animal producers shall be required to apply principles of general food hygiene as per HACCP principles in their premises. These practises shall be recorded, inspected and verified periodically.
- 45. Farmers shall be required to implement Good Agricultural Practises (GAP) principles, which shall be recorded, inspected and verified periodically.

Registration or Approval of Food Businesses

- 46. Food business operators and food service operators shall be registered with relevant authorities annually. They shall not operate without such registration. Registration of food business or food service operators shall be preceded by suitability inspection and approval of premises for food business premises.
- 47. Food businesses operators shall develop food safety procedures in line with HACCP principles. These procedures shall be inspected and approved annually by the relevant authorities. The implementation of these procedures shall be audited by the relevant authorities periodically, and compliance data compiled nationally.

Traceability and withdrawal of food products

- 48. Food business operators shall set up traceability systems and procedures for ingredients, foodstuffs and, where appropriate, animals used for food production.
- 49. Where a food business operator identifies that a foodstuff presents a serious risk to health it shall immediately withdraw that foodstuff from the market and inform users and the relevant authorities.

FOOD SAFETY FOR FOOD OF ANIMAL ORIGIN

50. The minister responsible for animal production shall gazette regulations laying down specific hygiene rules for unprocessed and primary processing foods of animal origin.
51. Establishments handling products of animal origin must be approved and registered by the ministry responsible for animal production.
52. Such registration shall include approval number and codes indicating the type of products of animal origin handled or manufactured. This registration does not include premises where products of animal origin are a small part of ingredients used in manufacturing.
53. Products of animal origin shall be given a health mark applied to products before they leave the product establishment. This mark must be legible, indelible and clearly visible, and must show the establishment's approval number where the operations took place.
54. The ministry responsible for animal production shall gazette countries from which imports of products of animal origin are permitted, in accordance with conditions set in international conventions such as the OIE on animal diseases, and evidence of sufficient guarantees on compliance with food safety standards.

Meat

55. The minister responsible for animal production shall gazette regulations for all meat animals, to ensure that:
 - a) Beef, lamb, goat, poultry, game or other animals for slaughter are collected and transported carefully so as not to cause unnecessary distress. Animals showing symptoms of disease or from contaminated herds or flocks may not be transported, except with special authorisation; and
 - b) Ante-mortem and post-mortem inspections are carried out in accordance with regulation on products of animal origin intended for human consumption.
56. In order to minimise the possibility of contamination of meat, specific hygiene regulations shall be gazetted to cover the following aspects:
 - a) The slaughter process including emergency slaughter: stunning, bleeding, skinning, dressing and evisceration;
 - b) Compliance of facilities construction and equipment of slaughterhouses with Good Manufacturing Practises;

- c) Cutting and boning operations in cutting plants;
- d) Control of temperature and other parameters during Storage, transport and maturation of meat; and
- e) Control of health marking of meat by an official veterinarian.

Stomachs, Bladders, Intestines, Rendered Animal Fats and Greaves

57. The minister responsible for animal production shall gazette regulations on the hygiene rules in respect of stomachs, intestines, bladders, rendered animal fats, greaves and other by-products covering the following:
- a) **Establishment:** the originating establishment which must be registered or approved by the ministry;
 - b) **Raw materials:** these must come from animals deemed fit for consumption after inspection, consisting of adipose tissues or bones which are reasonably free from blood and impurities;
 - c) **Containment:** preservation during the collection, transport and storage of these raw materials;
 - d) **Methods:** the rendering methods for fats and greaves: heat, pressure, decantation, prohibition of solvents, and the composition of animal fats; and
 - e) **Storage:** the storage of finished products intended for human consumption.

Gelatine and Collagen

58. The minister responsible for industry shall gazette regulations and standards which shall restrict production of gelatine used in manufacture of foodstuffs to only the following products:
- a) Hides and skins of farmed ruminant animals, pigs, poultry and wild game which has not undergone tanning;
 - b) Fish skin and bones; and
 - c) Bones, tendons and sinews.
59. The regulations shall ensure that these raw materials are derived from animals declared fit for consumption after inspection and slaughtered according to the existing hygiene rules. The regulations shall cover:
- a) Establishments and tanneries authorised to supply raw materials;

- b) Storage and Transport of raw materials;
- c) Process of manufacture of gelatine;
- d) Labelling requirements for gelatine and collagen; and
- e) Maximum limits for residues in finished products.

Prohibition on Administering Hormones (and other substances) to Farm Animals

- 60. Growth promoting substances such as those with a hormonal or thyrostatic action and beta-agonist substances may not be administered to farm animals in Namibia.
- 61. However, these substances may be applied by Government veterinarians for therapeutic and zootechnical purposes, in a controlled environment such as quarantine conditions, and for a limited period.
- 62. The import of animals, meat or products of animal origin from countries which authorise the administration of these substances to animals intended for human consumption for other purposes is prohibited in Namibia unless these countries offer equivalent guarantees, including segregated breeding system.
- 63. The ministry responsible for animal production shall gazette regulations on measures relating to the monitoring of certain substances (substances having anabolic effect, unauthorised substances, veterinary drugs and contaminants) or their residues in farm animals, meat and meat products.

Control of Zoonosis

- 64. The minister responsible for animal production shall gazette regulations for control of salmonella and other specified food-borne zoonotic agents.
- 65. Such control shall cover at least animal feed production, primary animal production, processing and preparation of foodstuffs. It shall entail sampling and testing of zoonosis by means of methods and protocols recommended by international standardisation bodies.

Veterinary Medicinal Products Residues

- 66. The Minister responsible for animal production shall gazette regulations establishing the maximum concentration of residues of pharmacologically active substance which may be permitted in foodstuffs of animal origin and the level of residues of medicinal products for which a maximum limit has not yet been set.

Milk and Milk Products

67. The ministry responsible for animal production shall gazette regulations on the health requirements of primary production of milk as follows:
- a) Milk and colostrum must come from females of the species (cows, ewes, horses, goats, other-specified) which are in a good general state of health that do not show any symptoms of infectious diseases communicable to humans through milk or colostrum and which are not suffering from any infection of the genital tract with discharge, enteritis with diarrhoea and fever, or a recognisable inflammation of the udder. The animals must not have any udder wound likely to affect milk or colostrum;
 - b) A microbiological criteria and standards for plate count and somatic cell count shall be set for raw milk;
 - c) Clearly-defined hygiene regulations shall be defined for milking, collection and transport of raw milk and colostrum in order to avoid any contamination. This shall also apply to persons involved, premises, equipment and utensils used in production;
 - d) There shall be hygiene requirements for heat-treated drinking milk and other milk products, dealing mainly with the preparation of pasteurised milk and Ultra High Temperature (UHT) milk; and
 - e) Regulations shall also be gazetted for wrapping and packaging, which must be designed to protect milk and/or milk products from harmful effects of external origin;
 - f) For control purposes, the labelling must clearly show the characteristics of the product, including where applicable the terms 'raw milk', 'made with raw milk', 'colostrum' or 'colostrum-based'.

Eggs and Egg Products

68. The minister responsible for animal production shall gazette regulations that shall ensure that:
- a) Eggs at the producer's premises and until sale to the consumer, are kept clean, dry and free of extraneous odour, protected from shocks and direct sunlight, stored and transported at an optimal temperature for conservation; and
 - b) Eggs shall be delivered to consumers within 21 days of laying.
69. Regulations on hygiene rules governing egg products (e.g. albumin) shall cover:

- a) Good manufacturing practises ensuring no contamination within approved production establishments;
- b) Raw materials used in egg products: conditions for using eggshells and liquid egg;
- c) Labelling and identification marking of egg products; and
- d) Analytical specifications for various residues and for butyric and lactic acids.

FISHERY PRODUCTS

70. The ministry responsible for fisheries shall gazette regulations defining food safety requirements of fisheries as follows:

- a) Boats, fishing vessels, factory vessels and freezer vessels: equipment and facilities on fishing vessels, areas for receiving products taken on board, work and storage areas, refrigeration and freezing installations, pumping of waste and disinfection;
- b) Personnel and facilities hygiene on board fishing vessels, factory vessels and freezer vessels: cleanliness, protection from any form of contamination, washing with water and cold treatment;
- c) Landing sites, ports and facilities: conditions of hygiene during and after the landing of fishery products. Protection against any form of contamination, equipment used, auction and wholesale markets;
- d) Regulations on fresh and frozen products, mechanically separated fish flesh, endo-parasites harmful to human health (visual examination), processed fishery products; and cooked crustaceans and molluscs;
- e) Regulations on control of presence of substances and toxins harmful to human health; and
- f) Packaging, storage and transport of fishery products.

MAXIMUM PESTICIDE LIMITS FOR PLANT FOOD PRODUCTS

The ministry responsible for agriculture shall gazette regulations on the approval criteria for active substances to be used in crop protection. The list of approved pest control products shall be gazetted and updated at least every 12 months.

71. An active substance:
- a. Shall only be approved if it is not classified as category 1A or 1B mutagenic, carcinogenic or toxic for reproduction, and is not considered to have endocrine disrupting properties; and
 - b. Which is considered to be a persistent organic pollutant, or as persistent, bioaccumulative and toxic, or even as a very persistent and very bioaccumulative substance, shall not be approved.
72. An approval is valid for a period of five years and may be renewed after evaluation of any new information on the active substance.
73. An approval shall be subject to certain restrictions regarding, for example, the purity of the active substance, the intended crop and the category of user.
74. These regulations shall establish the maximum quantities of pesticide residues permitted in products of animal or vegetable origin intended for human or animal consumption. These maximum residue levels (MRLs) include, on the one hand, MRLs which are specific to particular foodstuffs intended for human or animal consumption and, on the other, a general limit which applies where no specific MRL has been set.

CONTAMINANTS:

75. The ministry responsible for agriculture shall gazette regulations defining the maximum residue limits (MRL) of contaminants in foods, such as nitrates, Aflatoxin, Aflatoxin M1: Ochratoxin A, Patulin, Deoxynivalenol, Zearalenone, Fumonisin, Lead, Inorganic tin and benzo(a)pyrene.

EXTRACTION SOLVENTS

76. The ministry responsible for industry shall gazette regulations to establish specific purity criteria for extraction solvents used in foodstuffs, and in particular maximum permitted limits of mercury and cadmium.

RADIOACTIVITY IN FOODSTUFFS

77. The minister responsible for public health shall gazette regulations:

- A. Laying down maximum permitted levels of radioactive contamination of foodstuffs following a nuclear accident or any other case of radiological emergency; and
- B. On manufacture, marketing and importation of foods and food ingredients treated with ionising radiation. Such regulations shall include: the conditions for authorising food irradiation, sources of ionising radiation and dosimetry. The words "irradiated" or "treated with ionising radiation" must appear on the label or packaging of such foodstuffs;

QUICK FROZEN FOODS

- 78. The minister responsible for industry shall gazette regulations on conditions for quick frozen foods. The regulations shall include the following:
 - a. Quick-frozen foodstuffs must be labelled as "quick-frozen" and indicate the batch identification;
 - b. The freezing temperature must be -18°C or lower, except during transport and delivery for consumption; and
 - c. The only cryogenic media authorised are air, nitrogen and carbon dioxide.

ERUCIC ACID IN EDIBLE FATS AND OILS

- 79. The ministry responsible for industry shall gazette regulations to ensure that the level of erucic acid in edible oils and fats does not exceed 5%. This maximum level is established in order to protect consumers from the possible toxic effects of ingesting the acid.

PACKAGING MATERIALS

- 80. The minister responsible for industry shall gazette regulations to ensure that materials and articles which come into contact with food shall be produced in line with good manufacturing practice.
- 81. Packaging material must under no circumstances transfer substances to the food with which they are in contact in quantities likely to:
 - a) Impart an unacceptable change in the composition of the food;
 - b) Endanger human health; and
 - c) Cause deterioration in the organoleptic characteristics of the food;

82. These regulations shall adopt specific measures for the following materials which may come into contact with food:

- a) plastic materials;
- b) intelligent materials and articles;
- c) adhesives;
- d) ceramics;
- e) cork;
- f) rubbers;
- g) glass;
- h) ion-exchange resins;
- i) metals and alloys;
- j) paper and cardboard;
- k) printing inks;
- l) regenerated cellulose;
- m) silicones;
- n) textiles;
- o) varnishing and coatings;
- p) waxes;
- q) wood.

The specific measures gazetted shall include:

- a. Establishment of a Register of authorised substances, processes, materials or articles and procedure for authorization;
 - b. Provisions aimed at protecting human health or ensuring compliance with requirements for materials and articles that are intended to come into contact with food;
 - c. List of substances authorised for use in the manufacture of materials and articles that are intended to come into contact with food;
 - d. Criteria of purity, specific conditions of use and limits on the migration of certain constituents into or on to food; and
 - e. Provisions of labelling for active and intelligent materials and articles;
83. The use of BFDGE and NOGE, which are plastic (epoxy) derivative substances in manufacturing, packaging or other means of coming into contact with food shall be prohibited, except for containers larger than 10,000 litres.

84. Ceramic objects used to contain foodstuffs may transfer lead and cadmium to these foodstuffs. These two metals are toxic and can constitute a risk to human health. Regulations shall be gazetted to ensure that for them to be sold in Namibia, these ceramics must be accompanied by a written declaration provided by the manufacturer or importer, guaranteeing that they do not exceed the maximum limits set for lead and cadmium.

FOOD LABELLING

85. The minister responsible for trade shall gazette regulations on food labelling for all foodstuffs in Namibia. Such legislation shall ensure that labelling does not:
- a. Mislead consumers as to the characteristics, properties or effects of the foodstuff; and
 - b. Attribute to any food the property of preventing, treating or curing a human disease except for foodstuffs approved for particular nutritional uses.
86. Mandatory particulars of food labelling shall include the following:
- a) Name under which the product is sold;
 - b) List of ingredients, quantity of ingredients or categories of ingredients
 - c) Net quantity
 - d) Indication of the acquired alcoholic strength of beverages containing more than 1.2 % by volume of alcohol.
 - e) Instructions for use;
 - f) Date of minimum durability, any special storage conditions or conditions of use; and
 - g) Name or business name and address of the manufacturer or packager.