



agriculture

Department:
Agriculture
REPUBLIC OF SOUTH AFRICA

Directorate Food Safety and Quality Assurance, Private Bag X343, PRETORIA, 0001

FAX COVER SHEET

TO: The Fruit Juice Industry
ATTENTION: All role-players in the fruit juice industry
FAX:

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FAX: +27 (0)12 319 6055
NO. PAGES: 2 **DATE:** 15 June 2009

Subject

DISPENSATION: SALE OF FRUIT JUICE AND DRINK PRODUCTS WITHOUT AN INDICATION OF "SWEETENED" OR "UNSWEETENED", OR WORDS HAVING A SIMILAR MEANING, ON THE LABEL

1. Background

On 10 June 1997 a dispensation was issued by this office to all sellers of fruit juice and drink to do away with the requirement that the word "sweetened", "unsweetened" or "artificially sweetened" has to be indicated on the labels of all fruit juice and drink products, as required by the "Regulations relating to the classification, packing and marking of fruit juice and drink intended for sale in the Republic of South Africa" (Government Notice No. R. 286 of 7 November 1980, as amended).

However, recently complaints regarding the dispensation were received and the Department was compelled to re-evaluate the dispensation. After discussions with the complainants it was concluded that the main problem with the issue was the fact that 100% Fruit Juice and 100% Fruit Juice Blends are sweetened and this is not indicated on the main panel of the products, as well as the incorrect perception of the consumer of this 100% indication. The consumer's perception of this 100% Fruit Juice/Blend indication is that the product contains only fruit juice - not 100% juice as seen from the classification viewpoint of the regulations, that may be sweetened as well.

A letter dated 15 April 2009 was sent out for distribution to all manufacturers/packers/sellers of fruit juice requesting their inputs on the matter.

2. Summary of comments received

- a. Nearly all of those who commented were in favour of revoking the dispensation for the class Sweetened Fruit Juice and Sweetened Fruit Juice Blends.
- b. However, there was strong support for not indicating "Unsweetened" on the labels of the class Unsweetened Fruit Juice and Unsweetened Fruit Juice Blends.
- c. The majority agreed that it would not be necessary to extend the indication of "sweetened" to the classes Fruit Nectars, Fruit Drinks, and Fruit Flavoured Drinks.
- d. There was strong support for the indication of "No sugar added". However this issue is regulated by Department of Health and is optional in terms of these regulations.
- e. There was general agreement that this should be an interim solution and various requests were received for a process to revise the present regulations.
- f. There should be a phase-in period, however suggestions for the length of this phase-in period varied considerably.
- g. There seemed to be uncertainty regarding the status of "deflavoured juices" – Fruit juice blends with "deflavoured juices" are still regarded as Unsweetened Juices ("deflavoured juices" are not seen as sweeteners) – refer to the legislation of Department of Health for sweeteners.

3. **Final decision**

- a. The Department decided to revoke the previous dispensation for only the class Sweetened Fruit Juice and Sweetened Fruit Juice Blends – these products will thus have to indicate the words "Sweetened"/"Artificially Sweetened", as the case may be, on the main panel of the labels in a minimum letter size of 3mm.
- b. It was decided to prescribe a phase-in period of six months after which the labels should be corrected. However, a small sticker indicating the word "sweetened" in the correct letter size can easily be used to correct a label.

4. **Dispensation**

The dispensation of 10 June 1997 with the heading "Dispensation: Sale of fruit juice and drink products without any indication of 'sweetened' or 'unsweetened', or words having a similar meaning, on the label" is hereby revoked and re-issued as follows:

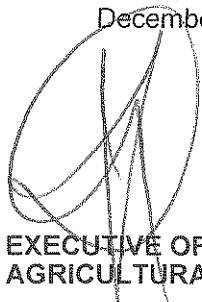
Permission is hereby granted by the Executive Officer: Agricultural Product Standards in terms of section 3(1)(c) of the Agricultural Product Standards Act, 1990 (Act No. 119 of 1990) to exempt all classes of fruit juice and drink products, with the exception of the class Sweetened Fruit Juice/Sweetened Fruit Juice Blends, from the labelling requirements of Regulation 20(2)(b)(iv) of Government Notice No. R286 of 7 November 1980, as amended.

This permission is subject to the following conditions:

- (a) All other conditions of the relevant regulations shall be complied with.
- (b) It may be withdrawn at any time should a valid complaint be received.
- (c) The fruit juice industry indemnifies this Directorate and the Department from any detrimental effect, financially or otherwise, which may emanate as a result of this permission.
- (d) Termination date: Until the regulations have been revised and the amended requirements published in the Government Gazette.

5. **Commencement**

This dispensation comes immediately into force for all classes of fruit juice and drink except for the class Sweetened Fruit Juice/Sweetened Fruit Juice Blends where it will come into force on 31 December 2009.



**EXECUTIVE OFFICER:
AGRICULTURAL PRODUCT STANDARDS**

Copies: APIS Officers Responsible for fruit juice

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