

**SAMOA**

**FOOD (SAFETY AND QUALITY)  
REGULATIONS 2017**

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**PURSUANT** to section 46 of the Food Act 2015 (“the Act”),  
**I, TUIMALEALIIFANO VAALETOA SUALAUVI II**, Head  
of State, acting on the advice of Cabinet, **MAKE** these  
Regulations:

**DATED** this 3<sup>rd</sup> day of October 2017.

signed: (Tuimalealiifano Vaaletoa Sualauvi II)

**HEAD OF STATE**

**REGULATIONS**

**PART 1  
PRELIMINARY**

**1. Citation and commencement-**(1) These Regulations may be cited as the Food (Safety and Quality) Regulations 2017.

(2) These Regulations commence on the date they are signed.

(3) However, any provision dealing with labeling commences after 12 months from the commencement date under subregulation (2).

**2. Purpose, principles and application-**(1) The purposes of these Regulations are:

- (a) to protect the health of the public from unsafe food;
- (b) to provide food that is fit for purpose; and
- (c) to protect consumers from deception and food of unacceptable and poor quality, by establishing minimum standards for food products.

(2) These Regulations take into account the following principles:

- (a) primary responsibility for food safety rests with the operators of food businesses;
- (b) it is necessary to ensure food safety throughout the food chain, starting with primary production and through to the food being sold and consumed;
- (c) it is necessary to ensure that imported foods are of at least the same hygiene and safety standards as food produced in Samoa.

(3) These Regulations:

- (a) apply to -
  - (i) all stages of production, processing, distribution, handling, and sale of food in Samoa; and
  - (ii) the importation into or exportation from Samoa of any food; but
- (b) do not apply to the domestic preparation, handling, storage, holding or possession of food for private domestic consumption, unless the food is considered by the Ministry to be a food of significant public health concern.

**3. Interpretation-**(1) In these Regulations, unless the context otherwise requires:

“approved form” means a form approved under section 47 of the Act;

“article” means:

- (a) any food;
- (b) anything used to label or advertise food; or
- (c) any machine used for the preparation, preservation, packing, storing or displaying of any food.

“charity and community food business operation”:

- (a) means any charitable, community based or other socially beneficial organisation that sells food to raise funds for (charitable or community purposes) and not for personal financial gain; and
- (b) includes any community market, bazaar, raffle, school fundraising activity, church fundraising activity or community stall or any other similar activity for charitable or community purposes.

“claim” means any representation which states, suggests or implies that a food has particular qualities relating to its origin, nutritional properties, nature, processing, composition or any other quality;

“Codex Alimentarius” or “Codex” means standards, codes of practice, guidelines and other texts developed and maintained by the Codex Alimentarius Commission;

“Committee” means the Food and Nutrition Policy Committee established under section 18 of the Act;

“container”:

- (a) means any packaging of food for delivery as a single item, whether by completely or partially enclosing the food; and
- (b) includes -
  - (i) a wrapper; or
  - (ii) a container that may enclose several units or types of packages when the container is offered to the consumer.

“contaminant” means any biological or chemical agent, foreign matter, or other substances whether or not intentionally added to food which may compromise food safety or suitability;

- “date of manufacture” means the date on which the food becomes a food product;
- “date of packaging” means the date on which the food is placed in the immediate container in which the food will be ultimately sold;
- “disinfection” means the reduction, without adversely affecting the food, by means of hygienically satisfactory chemical agents or physical methods, of the number of microorganisms to a level that will not lead to harmful contamination of food;
- “equipment” means any machine, appliance, utensil, instrument used to handle food, and includes equipment used for the cleaning of food places;
- “fish” has the meaning in the Fisheries Management Act 2016;
- “food additive”:
- (a) means any substance not normally -
    - (i) consumed as a food by itself; and
    - (ii) used as a typical ingredient of the food,whether or not the additive has nutritive value, the intentional addition of which to food for a technological (including organoleptic) purpose in the manufacture, processing, preparation, treatment, packing, packaging, transport or holding of the food results, or may be reasonably expected to result, (directly or indirectly) in the additive or its by-products becoming a component of or otherwise affecting the characteristics of the food; but
  - (b) does not include contaminants or substances added to food for maintaining or improving nutritional qualities.
- “food hygiene” means any condition and measure necessary to ensure the safety and suitability of food at all stages of the food chain;
- “food recall” means the action to remove food from the market at any stage of the food chain, including any food in possession of a consumer, in relation to any food safety issue, such as hazard, allergen, labelling concern or nutritional inadequacy concern for infants;

- “food recall plan” means any procedure or arrangement that the operator of a food business may have in place to retrieve food or food products from the food chain when a problem arises;
- “Food of Regulatory Interest List” means list of food in Part 2 of Schedule 11;
- “food safety” means assurance that food will not cause harm to the consumer when it is prepared or eaten according to its intended use;
- “food withdrawal” means any action to remove food from the market at any stage of the food chain in relation to food quality concerns;
- “fortification or enrichment” means the addition of one or more essential nutrients to a food, whether or not it is normally contained in the food, for the purpose of preventing or correcting a demonstrated deficiency of one or more nutrients in the population or specific population groups;
- “good hygienic practices” means practices as prescribed by the Recommended International Code of Practice-General Principles of Food Hygiene of the Codex Alimentarius Commission;
- “HACCP” means Hazard Analysis and Critical Control Point as defined in the Codex Alimentarius;
- “hawker”:
- (a) means a person who sells or displays for sale food in or from either a public or private place, from a mobile or temporary stall or display; but
  - (b) does not include a person who displays or sells food -
    - (i) from a shop, restaurant, or café; or
    - (ii) for a charitable, community based or other socially beneficial purpose or organisation.
- “High Risk Food List” means the list of food in Part 1 of Schedule 11;

“ingredient” means any substance, such as a food additive, used in the manufacture or preparation of a food and present in the final food product although possibly in a modified form;

“label” means any tag, brand, mark, pictorial or other descriptive matter, written, printed, stencilled, marked, embossed or impressed on, or attached to, the container of any food;

“labelling” includes any written, printed or graphic matter that:

- (a) is present on the label;
- (b) accompanies the food; or
- (c) is displayed near the food,

for the purpose of promoting the sale or disposal of food.

“lot” means a quantity of food manufactured, processed, prepared and packed under the same conditions;

“nutrient content claim” means a claim that describes the level of a nutrient contained in a food, such as, but not limited to, source of calcium, high in fibre and low in fat;

“nutrient comparative claim” means a claim that compares the nutrient levels or energy value of two (2) or more foods such as, but not limited to, reduced, less than, fewer, increased, more than;

“nutrient function claim” means a health claim that describes the physiological role of the nutrient in growth, development and normal functions of the human body;

“nutrient profiling” means a tool to classify according to their nutrient content. It can be used for various applications, including marketing of foods to children, health and nutrition claims, product labelling logos or symbols, information and education, provision of food to public institutions, and the use of economic tools to orient food consumption;

“nutrient supplement” means any mineral, vitamin, essential, amino acid or essential fatty acid which, when added either singly or in combination of food, improves or enriches the nutrient content of the food;

“packaged” means to be packed in a container;

“packaged food”:

(a) means any food in a package; and

(b) includes -

(i) food packaged at the request of a member of the public such as in a bakery, butcher shop, delicatessen, restaurant, street food other such premises where the member of the public can either observe the unpackaged food or select a food from a menu; or

(ii) packaged food being displayed for sale or sold by hawkers, street food vendors, market vendors or stall holders.

“potable water” means fresh water fit for human consumption, and the standards of potability are not to be lower than those contained in the latest edition of the Samoa National Drinking Water Standards 2008 (and any subsequent revisions);

“pre-packaged food” means any pre-packed food excluding those specified in paragraph (b) of the definition of “packaged food”

“sanitation” means the hygienic disposal or recycling of waste;

“street food centre” means any public place (including building) declared under regulation 21(4)(a) for the preparation, display or sale of street foods by multiple vendors;

“sell-by-date” means the last date of offer for sale to the consumer after which there remains a reasonable storage period in the home;

“street foods” means ready-to-eat food prepared or sold by a vendor or hawker, especially in a public place, including a street;

“street food stall”:

(a) means a place where street food is prepared, displayed, served or sold to the public; and

- (b) includes a cart, table, bench, basket, chair, vehicle with or without wheel or any other structure approved under regulation 21(4)(b) where on it or in it, any street foods are displayed for sale.
- (2) The operator of a food business has, unless the context otherwise requires, the duty to comply with any requirement, duty or function in relation to compliance with these Regulations or with standards under these Regulations or Codex.

## **PART 2 GENERAL FOOD STANDARDS**

**4. Application of Codex Standards-**(1) The Codex, including any amendment to it by the Commission, is adopted and forms part of these Regulations.

(2) These Regulations prevail if the Codex conflicts with these Regulations.

(3) Any laws or custom referred to in the Codex may be covered in a standard under these Regulations.

(4) If a standard is not made for any food product under these Regulations, the relevant Codex Standard is taken to be the relevant Standard to be met.

(5) The Codex and relevant Standard may be amended by these Regulations.

**5. General limits on contaminants** - An importer, manufacturer or processor of food must ensure that no contaminant is present in any food except at the maximum level of contaminants permitted under the Codex Alimentarius or instead a different permitted level prescribed by these Regulations.

**6. Specific limits on chemical contaminants-**(1) Without limiting regulation 5, the limits on chemical contaminants specified in Schedule 1 are to be specifically applied on any food imported into Samoa and any food produced and processed in Samoa for human consumption.

(2) A food is considered to be non-compliant with these Regulations if any one sample unit contains a chemical contaminant that exceeds the level specified in the Schedule 1.

**7. Pesticide residues-**(1) The manufacturer, processor or importer of food must ensure that the maximum levels of pesticide residues permitted in food are those limits specified by the Codex Alimentarius.

(2) Any food is considered to be non-compliant with these Regulations if any one sample unit contains a residue that exceeds the level specified by the Codex.

**8. Veterinary drug residues-**(1) The manufacturer, processor or importer of food must ensure that the maximum level of any veterinary drug residue in food permitted in Samoa is the level specified by the Codex Alimentarius.

(2) A food is considered to be non-compliant with these Regulations if any one sample unit contains a residue that exceeds the level specified by the Codex.

**9. Microbiological criteria-**(1) Any food for sale is to comply, prior to import, at the point of import, at the end of processing and at the point of sale with Schedule 2.

(2) An importer must ensure that food imported into Samoa complies with Schedule 2 prior to importation and, if required by a food safety officer, at the point of import.

(3) The operator of a food business for processing food must ensure that food produced complies with Schedule 2.

**10. Food additives-**(1) Any food additive may not be used in any food imported or sold in Samoa unless permitted by this regulation.

(2) Unless otherwise provided in these Regulations:

(a) any additive allowed for use in any food product is the additive allowed under the Codex General Standard on Food Additives; and

(b) the maximum level of the additive in the final food product is the level allowed under that General Standard.

(3) If no enactment or Codex General Standard on Food Additives exists for additives to be used in any food, the processor or importer must demonstrate, to the satisfaction of the Director General, the safety of the additives to be used for a particular food, before the food is imported or processed.

(4) The operator of a food business (including but not limited to a processor or importer) must ensure that the additives present in any food comply with the Codex, unless otherwise provided in these Regulations.

**11. Nutrient supplements-**(1) A person must not import, manufacture, advertise for sale or sell any nutrient supplement other than a permitted nutrient supplement provided by any standard under these Regulations or (if the standard is not provided under these Regulations) the Codex.

(2) A person must not import, manufacture or advertise for sale or sell any food in which is present:

(a) any nutrient supplement, other than the allowed nutrient supplement; or

(b) any allowed nutrient supplement at a concentration above the maximum allowed by -

(i) standards under these Regulations; or

(ii) if standards are not covered by these Regulations, standards under the Codex.

(3) A person must comply with the proposed nutrient profiling model in Schedule 3.

### **PART 3 LABELLING, PACKAGING AND CLAIMS**

**12. General requirements on labelling-**(1) Any pre-packaged food must not:

(a) be described or presented on any label or in any labelling in a manner that is -

(i) contrary to the laws of Samoa;

(ii) false, misleading or deceptive; or

(iii) likely to create an erroneous impression regarding its character in any respect;

- (b) be described or presented on any label or in any labelling -
  - (i) by words, pictorial or other devices which refer to or are suggestive either directly or indirectly, of any other food product with which the food might be confused; or
  - (ii) in a manner as to lead the purchaser or consumer to suppose that the food is connected with any other food product.
- (2) All pre-packaged food produced, processed, packed, distributed, or imported must be labelled with the following information:
  - (a) the name of food;
  - (b) a list of ingredients;
  - (c) the net contents or drained weight;
  - (d) the name, address, and other contact information of the manufacturer, or importer;
  - (e) lot identification;
  - (f) date marking and storage instruction; and
  - (g) instruction for use.
- (3) The name of the food:
  - (a) must indicate the true nature of the food; and
  - (b) if names have been established for any food in a Codex Alimentarius Standard, or under any enactment, at least one of those names must be used.
- (4) There must appear on the label, close to the name of the food:
  - (a) any additional words or phrases necessary to avoid misleading or confusing the consumer in regard to the true nature and physical condition of the food (including, but not limited to, the type of packing medium or style); and
  - (b) the condition or type of treatment it has undergone, such as, dried, concentrated, reconstituted or smoked.

- (5) For the ingredients in any food:
- (a) except for any food with a single ingredient, a list of ingredients must be stated on the label;
  - (b) the list of ingredients must be headed or preceded by an appropriate title which consists of or includes the term 'ingredient';
  - (c) ingredients must be listed in descending order of ingoing weight (m/m) at the time of the manufacture of the food;
  - (d) cereals containing gluten, crustacea and their products, eggs and egg products, fish and fish products, peanuts, soybeans and their products, milk and milk products (lactose included), tree nuts and nut products, and sulphite in concentrations of 10 mg/Kg or more are known to cause hypersensitivity and must be stated and be stated by their specific name;
  - (e) added water must be stated in the list of ingredients unless the water forms part of an ingredient, such as brine, syrup or broth used in a compound food and stated as such in the list of ingredients;
  - (f) water or other volatile ingredients evaporated in the course of manufacture is not required to be stated;
  - (g) dehydrated or condensed foods which are intended to be reconstituted by the addition of water only, the ingredients may be listed in order of proportion (m/m) in the reconstituted food product if a statement, such as "ingredients of the food product when prepared pursuant to the directions on the label" is included;
  - (h) a specific name must be used for ingredients in the list of ingredients unless a general class name as permitted in the Codex General Standard on the Labelling of Pre-packaged Food would be more informative, and in that circumstances, the permitted class name may be used, as laid out by the Codex General Standard on the Labelling of Pre-packaged Food;

- (i) ingredients derived from beef and pork (including but not limited to pork fat, lard, and beef fat) must be stated by their specific names;
  - (j) for the identification of food additives (excluding those specified under paragraphs (d) and (i)), it is sufficient to list the additives under their respective classes, as specified in the Codex General Standard on the Labelling of Pre-packaged Food, together with the specific name or ISN numerical identification;
  - (k) the presence of brain, heart, kidney, liver, tongue or tripe in a food, must be stated either by class name of the offal or by the specific type of offal;
  - (l) if a food product is labelled as being in “natural oil”, the addition of water, whether stated or not, is not permitted such that the consumer is misled by the label as to the packing medium;
  - (m) for mixed or blended food, words which indicate that the contents are mixed or blended, must be conjoined with the appropriate designation of the food “mixed .....” or “blended.....”; and
  - (n) if, the food or any of its ingredients has been purposefully exposed to ionizing radiation, the statement indicating that the food or the ingredient has been treated with ionizing radiation.
- (6) For the statement of the net contents:
- (a) the net contents or drained weight must be stated in metric system pursuant to the Metrology Act 2015;
  - (b) for solid foods by weight, for liquid foods by volume; and
  - (c) for semi-solid or viscous foods, either by weight or volume.
- (7) For name and address of the manufacturer or packer or distributor:

- (a) the name and physical address of the manufacturer, or packer or distributor or owner of rights of manufacture or brand owner for food of local origin; or
  - (b) imported food, the name and address of local importer or distributor and the country of origin; or
  - (c) when a food undergoes processing in a second country which changes its nature, the country in which the processing is performed is taken to be the country of origin for the purposes of labelling.
- (8) For lot identification, each container must be permanently marked to identify the producing factory and the lot.
- (9) For date marking and storage conditions:
- (a) the original expiry date must be stated on all food if the food is to be consumed before a certain date because of health and safety reasons;
  - (b) the expiry date must be stated by the words “use-by ...” or “expiry date ...” or “expiration date...” or “exp ...” and these words must be accompanied by the date itself in uncoded numerical sequence except that the month may be indicated by letters;
  - (c) the original best before date must be stated on all food if an expiration date is not required unless exempted by these Regulations;
  - (d) the best before date must be stated by the words “best before ...” or “best before end...” and these words is to be accompanied by the date itself in uncoded numerical sequence except that the month may be indicated by letters;
  - (e) the expiry date or the best before date must consist of at least of the day and the month for food products with a best before date of not more than three (3) months or the month and the year for food products with best before date of more than three (3) months;

- (f) an indication of the best before date or expiry date is required for fresh fruits and vegetables which have not been peeled, cut or similarly treated;
  - (g) in addition to the best before date or expiry date, any special conditions for the storage of the food must be stated on the label if the validity of the date depends thereon;
  - (h) an indication of the best before date or expiry date is not required for any baked product (the baked product is to bear a label with the words “baked-on ...” and 3 words must be accompanied by the date itself in uncoded numerical sequence except that the month may be indicated by letters;
  - (i) an indication of the best before date or expiry date is not required for packed fresh meat, fish or poultry with a shelf life of less than 7 days (the packed food is to bear a label with the words “packed-on ...” and the words must be accompanied by the date itself in uncoded numerical sequence except that the month may be indicated by letters; and
  - (j) shelf stable food (including but not limited to certain canned food) with a best before period of 3 years is taken to have met date marking requirements of these Regulations if it bears the date of manufacture and a statement as to the best before date.
- (10) Any instructions for use (including reconstitution, if applicable) must be included on the label, as necessary, to ensure correct use of the food.
- (11) For non-retail containers not destined to final consumers, the name of the food, lot identification, net contents and the name and address of the manufacturer, packer, distributor or importer, as well as storage instructions, must appear on the container.
- (12) As an exception to subregulation (2), lot identification, and the name and address of the manufacturer, packer, distributor or importer on non-retail containers may be replaced

by an identification mark, if a mark is clearly identifiable with the accompanying documents.

(13) Labelling requirement under this regulation does not apply to:

- (a) any food packaged at the request of a customer, such as, in a bakery, butcher shop, delicatessen, restaurant, street food or other similar food business where the customer can either observe the unpackaged food or select a food from a menu; or
- (b) packaged food being displayed for sale or sold by a hawker, street food vendor, market vendor or stall holder for any pre-packaged food but the food must be labelled with the name of the food, the list of ingredients and the manufacturer details.

**13. Food specific labelling requirements-**(1) Any milk that has been manufactured by re-combination or reconstitution must be labelled as “*Recombined milk*” or “*Reconstituted milk*” or another similar qualifying term if the consumer would be misled by the absence of that labelling.

(2) A person commits an offence who labels a food in a manner that the consumer could be reasonably misled that the food is “fresh milk” when the food:

- (a) has been prepared by reconstitution, recombination or any other similar process; or
- (b) does not comply with the other requirements of these Regulations.

**14. Required nutrient content labelling** - A pre-packaged food produced, processed, packed, distributed, or imported must be labelled with the following nutrient information:

- (a) the statement of energy, protein, fat, sodium and carbohydrate, must be made pursuant to the composition;

- (b) information on energy value must be stated in kcal or kJ per 100g or per 100ml or per package if the package contains only a single portion or per serving as quantified on the label or per portion if the number of portions contained in the package is stated;
- (c) information on the amounts of protein, carbohydrate, free sugars, total fat, saturated fat and fibre in the food must be stated in g per 100g or per 100ml or per package if the package contains only a single portion or per serving as quantified on the label or per portion if the number of portions contained in the package is stated;
- (d) information on the amount of sodium, which may be stated as salt, in the food must be expressed in milligrams or both milligrams and millimoles per 100g or per 100ml or per package if the package contains only a single portion or per serving as quantified on the label or per portion and if the number of portions contained in the package is stated;
- (e) numerical information on vitamins and minerals must be stated in metric units or as a percentage of the Nutrient Reference Value per 100g or per 100ml or per package if the package contains only a single portion or per serving as quantified on the label or per portion and if the number of portions contained in the package is stated;
- (f) the statement of nutrient content must be numerical; and
- (g) nutrient statement is mandatory for foods for which nutrition claims are made and the amount of that nutrient per 100g or per 100ml stated in metric unit, or per serving is to be stated.

**15. Presentation of mandatory labelling** - The following requirements must be met for labelling of pre-packaged foods:

- (a) labels in pre-packaged foods must be applied in a manner that prevents the labels from becoming separated from the container;
- (b) statements required to appear on the label under this regulation must be clear, prominent, indelible and readily legible by the consumer under normal conditions of purchase and use;
- (c) if the container is covered by a wrapper, the wrapper must state the necessary information or the label on the container must be readily legible through the outer wrapper or must not be obscured by the wrapper;
- (d) the name and net contents of the food must appear in a prominent position and in the same field of vision;
- (e) the information on a label must, at least, be in the English or the Samoan language;
- (f) if the language on the original label is not in English or the Samoan language, the food product must be re-labelled or a supplementary label in English or Samoan must be fixed to the food product which provides the information required to be provided on a label by these Regulations; and
- (g) for re-labelling or a supplementary label, the information provided must fully and accurately reflect that in the original label.

**16. Prohibited claims** - The following claims are prohibited:

- (a) claims stating that any food will provide an adequate source of all essential nutrients, except for well-defined food products for which a Codex Standard, permits the claims as admissible claims;
- (b) claims implying that a balanced diet or ordinary foods cannot supply adequate amounts of all nutrients;

- (c) a claim that encourages or condones excessive consumption of any food or contradicts good dietary practice;
- (d) claims that cannot be substantiated;
- (e) nutrition claims and health claims for foods for infants and young children unless provided under these Regulations or other regulations made under the Act;
- (f) claims as to the suitability of a food for use in the prevention, alleviation, treatment or cure of a disease, disorder, or particular physiological condition, unless the claims are pursuant to these Regulations and any relevant Codex Standards or guidelines;
- (g) claims which could give rise to doubt about the safety of similar food or which could arouse or exploit fear in the consumer;
- (h) a claim that a food has obtained an increased or special nutritive value by means of the addition of nutrients, such as vitamins, minerals and amino acids must be permitted only if the addition has been made on the basis of nutritional considerations under the Codex General Principles for the Addition of Essential Nutrients to Foods.

**17. Use of nutrient content claims, nutrient comparative claims, nutrition claims and health claims-**(1) The only nutrition claims permitted are those relating to energy, protein, carbohydrate, and fat and their components, fibre, and sodium, and vitamins and minerals for which Nutrient Reference Values have been laid down in the Codex Alimentarius unless permitted by these Regulations.

(2) Any claim made on any nutrient content listed in Schedule 4, must be consistent with that Schedule.

(3) Any claim for nutrient comparative must be permitted only if:

- (a) the comparison is to the same or similar food; and
  - (b) a statement of the amount of difference in the energy value or nutrient content is given.
- (4) Any health claim must be permitted if all of the following conditions are met:
- (a) proof must be sufficient to substantiate the type of claimed effect, as recognised by appropriate scientific review of the data;
  - (b) claims consist of both information on the physiological role of the nutrient or on an accepted diet-health relationship and associated composition information;
  - (c) the claimed benefit must arise from the consumption of a reasonable quantity of the food or food constituent in the context of a healthy diet;
  - (d) a validated method to quantify the food constituent that forms the basis of the claim is available; and
  - (e) the following information appears on the label or labelling of any food containing any health claim -
    - (i) a nutrient statement at least complying with the nutrition labelling requirements specified by the Codex;
    - (ii) a statement of the quantity of any nutrient or other constituent of the food that is the subject of the claim;
    - (iii) the target group, if appropriate;
    - (iv) how to use the food to obtain the claimed benefit and other lifestyle factors or other dietary sources, if appropriate;
    - (v) if appropriate, advice to vulnerable groups on how to use or to avoid using the food;
    - (vi) maximum safe intake of the food or constituent where necessary;
    - (vii) how the food or food constituent fits within the context of the total diet;
    - (viii) a statement on the importance of maintaining a healthy diet;

(ix) claims that relate to dietary guidelines or “*healthy diets*” are only permitted if the claims are consistent with any dietary guideline adopted by the Ministry;

(x) if the claim is not based on selective consideration of one or more aspects of the food; and

(xi) if the food is not described as “*healthy*” or represented in a manner that implies that a food in and of itself will impart health.

(5) A claim to the effect that a food is a good source of a vitamin or mineral may be made if the food contains at least 25% of the recommended daily intake for that vitamin or mineral.

(6) A claim regarding the food being fortified must only be permitted if:

(a) the food is listed in Schedule 5; and

(b) not high in sugars, fat or salt, except for fortified salt itself.

**18. Packaging-**(1) Any material or process used for packaging, including wrapping, must not be a source of contamination to the food.

(2) Any packaging, including wrapping, is to be stored in a manner that the packaging is not exposed to any risk of contamination.

(3) Any carton used to package eggs must not to be reused.

(4) If the operator of a food business directly retails raw meat and poultry to consumers:

(a) the meat or the poultry must be packaged in a manner that the packaging prevents -

(i) contamination of the meat or the poultry; and

(ii) the meat or the poultry from contaminating any other food; and

- (b) the package must be labelled pursuant to the mandatory labelling requirements under these Regulations.
- (5) Without limiting subregulation (4), a butcher shop or a butcher retailer:
- (a) must not package the meat or the poultry for display for sale unless the meat or the poultry is not potentially subject to consumer handling; and
  - (b) for a butcher, if directly selling the meat or the poultry to consumers, the butcher must package the food in packaging that prevents the meat or the poultry from contamination or from contaminating any other food.

#### **PART 4 COMMODITY STANDARDS**

**19. Requirements for different commodities-**(1) Any eggs produced, processed, handled, kept, distributed, displayed for sale or sold in or imported into or exported from Samoa must comply with Schedule 6, unless otherwise required by the importing country's competent authority for food for export.

(2) Any fish or fisheries products produced, processed, handled, kept, distributed, displayed for sale or sold in or imported into or exported from Samoa must comply with Schedule 7, unless otherwise required by the importing country's competent authorities for food for export.

(3) Any cereal or cereal product produced, processed, handled, kept, distributed, displayed for sale or sold in or imported into or exported from Samoa must comply with the requirements in Schedule 8, unless otherwise required by the importing country's competent authorities for food for export.

(4) Any salt produced, processed, handled, kept, distributed, displayed for sale or sold in or imported into or exported from Samoa must comply with Schedule 9, unless otherwise required by the importing country's competent authorities for food for export.

(5) Any fruit drink for importation or sale or its advertisement, promotion, display, description or presentation must comply with Schedule 10.

**PART 5**  
**FOOD SAFETY AND HYGIENE OBLIGATIONS**

**20. Duties of operators of food businesses on good hygienic practices-**(1) The operator of a food business must:

- (a) take all practicable measures to process only safe and suitable food; and
  - (b) ensure that good hygienic practices in this Part are applied at all stages of producing, manufacturing, receiving, processing, handling, transporting, storing, displaying, selling, distributing, and importing food under their control.
- (2) When processing food, the operator of a food business must:
- (a) take all necessary steps to prevent the likelihood of food being contaminated; and
  - (b) if a process step is needed to reduce to safe levels any pathogens that may be present in the food, use a process step that is reasonably known to achieve the microbiological safety of the food.
- (3) A hawker, street food vendor or owner or operator of a street food stall, street food centre or charity and community food business operation who prepares, handles, stores or displays any food for sale or sells any food must:
- (a) ensure the food is safe and has been prepared under hygienic conditions using good hygienic practices; and
  - (b) permit a food safety officer, upon request, to inspect the place in which the food was prepared, handled, displayed, or being offered for sale so to enable the food safety officer to ascertain the hygienic state of the place, including a residential place.

(4) The Director General may, in writing, exempt a person under subregulation (3) from having to comply with any of the food safety requirements in this Part if the person satisfies the Director General that:

- (a) the person is using any other good hygienic practice to safeguard the food; and
- (b) there is no risk to public health from exempting the person.

**21. General requirements for places and facilities of food businesses-**(1) A place of food business (“place”) is to be:

- (a) located, designed and constructed in a manner that is not likely to contaminate food and that prevents pest and animal access and harbourage;
  - (b) kept clean; and
  - (c) in good repair and condition.
- (2) Any utensils and equipment in the place are to be kept clean.
- (3) The following are to be available at the place:
- (a) access to adequate facilities to maintain personal hygiene;
  - (b) adequate supply of potable water wherever water or ice is required for food business operations;
  - (c) adequate facilities to hygienically store and dispose of waste;
  - (d) facilities to adequately ensure proper temperature control of food, if required.
- (4) The Director General may, with or without conditions:
- (a) declare any place (including any building or structure) to be a food centre;
  - (b) approve any structure as a food stall.

**22. Location of places-**(1) A place of food business (“place”) must be located away from:

- (a) environmentally polluted areas and industrial activities which may lead to contamination of food;
- (b) areas subject to flooding unless sufficient safeguards are provided;

- (c) areas prone to infestations of pests; and
- (d) areas where wastes, either solid or liquid, cannot be removed effectively.

(2) If a natural or man-made disaster occurs and affects a food place, the operator of the food business must not move or sell from any food in the place unless permitted by a food safety officer who must conduct an inspection to determine the safety or otherwise of the food for salvaging and possible future sale.

**23. Location of equipment** - Any equipment must be located so that it:

- (a) permits effective maintenance and cleaning; and
- (b) functions properly.

**24. Design and layout of places**-(1) The internal design and layout of any food place must allow good hygienic practices, including protection against cross-contamination from raw or semi-processed food to ready-to-eat food.

(2) The layout and location of a stall in a street food centre must protect against cross-contamination from raw or semi-processed food to ready-to-eat food.

(3) Without limiting subregulation (1), the internal design and layout of any food place must provide adequate working space to allow for the hygienic performance of all operations.

**25. Internal structures and fittings**-(1) Any structure within any food place must be soundly built of durable materials and be easy to maintain, clean and if appropriate, able to be disinfected.

(2) Without limiting subregulation (1), the following conditions are to be satisfied if necessary to protect the safety of food:

- (a) the surfaces of walls, partitions and floors must be made of impervious and non-toxic materials;
- (b) walls and partitions must have a smooth surface up to a height appropriate to the operation;
- (c) floors must be constructed to allow adequate drainage and cleaning;

- (d) ceilings and overhead fixtures must be constructed and finished to minimise the build-up of dirt and condensation, and the shedding of particles;
- (e) any windows must be -
  - (i) easy to clean;
  - (ii) constructed to minimise the build-up of dirt; and
  - (iii) if, necessary, be fitted with removable and cleanable insect-proof screens;
- (f) any doors must have smooth and non-absorbent surfaces and easy to clean;
- (g) working surfaces that come into direct contact with food must be -
  - (i) in sound condition, durable and easy to clean, maintain and disinfect; and
  - (ii) made of smooth, non-absorbent materials, and inert to the food, to detergents and disinfectants under normal operating conditions; and
- (h) as an exception to paragraph (g), cutting boards may be made of wood if necessary for operational reasons if the wood surface is maintained, and properly cleaned and disinfected after each use.

**26. Equipment and containers** - Any equipment or container in a food place must be:

- (a) designed and constructed of non-toxic materials; and
- (b) in sound condition, durable and easy to clean, maintain and disinfect.

**27. Cooking equipment and associated exhaust systems-**

(1) Any cooking equipment or any associated exhaust system must be designed and operated in a manner as to prevent:

- (a) a build-up of grease and soot in the kitchen; and
- (b) any contamination of food that might arise from the burning of any fuel used for cooking.

(2) However, cooking equipment using a fuel, including but not limited to kerosene, must be designed with a flue that directs the burnt fuel materials to the outside of the place in a manner as to prevent contamination of the food handling environment and the food.

**28. Potable water-**(1) Except as permitted in these Regulations, water used as an ingredient in the preparation of food or on surfaces on which food is prepared or on surfaces which may otherwise come into contact with food, must be:

(a) potable water; or

(b) if potable water is not available, water that has previously been heated until it has reached boiling temperature.

(2) A food business must have adequate potable water available to ensure the safety of food.

(3) Any non-potable water, for uses that will not contaminate food, including but not limited to flushing of toilets, must have a separate system.

(4) Any water re-circulated for reuse must be treated and maintained in a condition that no risk to the safety and suitability of food results from its use.

**29. Ice-**(1) A person must not sell for human consumption or for use in contact with food for sale, ice produced from water that is not potable or that has not previously been heated until it has reached boiling temperature if potable water is not available.

(2) A person must not sell for human consumption, ice that has previously been in direct contact with food.

(3) A person handling ice for human consumption or for use as a coolant in direct contact with food must not handle the ice in a manner likely, in the opinion of food safety officer, to render the ice unsafe or unsuitable.

**30. Drainage and waste disposal-**(1) Any adequate drainage or waste disposal system must be provided and managed so that:

- (a) the risk of contaminating food or the potable water supply is avoided;
  - (b) pollution of the environment does not occur;
  - (c) any requirement of any enactment regulating drainage or waste disposal system are met.
- (2) Any waste water must be collected and disposed of separately from solid wastes, if practicable, through direct linkage to the sewage system.
- (3) Any waste water must be disposed of in the public drainage system and not emptied onto the ground or into surface waters, such as rivers and lakes.
- (4) Subregulations (1) to (3) do not apply to street food stalls, however, any drainage must be cleaned and any waste to be collected and disposed of in a manner that will not contaminate food, pollute the environment, and complies with other applicable enactment.

**31. Cleaning facilities-**(1) Adequate facilities must:

- (a) be provided for cleaning food, utensils and equipment; and
  - (b) have an adequate supply of potable water, including hot water.
- (2) Any facilities for cleaning of raw meat, fish, poultry or other potentially high risk food must be separate from facilities for washing salad vegetables or other ready-to-eat food.

**32. Personnel hygiene facilities and toilets-**(1) Any personnel hygiene facility must be available to ensure that an appropriate degree of personal hygiene can be maintained and to avoid contaminating food.

- (2) If appropriate, (including but not limited to restaurants, bakeries, and food processing places) suitably located facilities must include:
- (a) adequate means of hygienically washing and drying hands, including wash basins and an appropriate supply of water, including both hot and cold water; and
  - (b) toilets of appropriate hygienic design.

- (3) Where toilets are required, toilets must:
- (a) be available in sufficient number to ensure good hygiene is maintained;
  - (b) have adequate hand washing and drying facilities;
  - (c) be maintained in a hygienic manner;
  - (d) not to be open directly into rooms in which food is being processed, prepared or handled; and
  - (e) be connected to an effective drainage system.

**33. Air quality and ventilation-**(1) Adequate means of natural or mechanical ventilation must be provided, in particular to:

- (a) minimise air-borne contamination of food and contamination of food from condensation;
  - (b) control temperatures and humidity; and
  - (c) control odours which might affect the suitability of food.
- (2) Any ventilation system must be designed and constructed so that air does not flow from contaminated areas to clean areas.

**34. Lighting** - Adequate natural or artificial lighting must be provided to enable the food business to operate in a hygienic manner.

**35. Storage-**(1) If necessary, adequate facilities for the storage of food, ingredients and non-food items (such as, cleaning materials, lubricants, fuels) must be provided.

- (2) Any food storage facilities must be designed and constructed to:
- (a) permit adequate maintenance and cleaning;
  - (b) avoid pest access and harbourage;
  - (c) enable food to be effectively protected from contamination during storage; and
  - (d) if necessary, provide an environment which minimises the deterioration of food (such as, by temperature and humidity control).

(3) Without limiting subregulation (2), any storage facility in a place of food business must be organised in a manner that:

- (a) food is not stored near or in direct contact with kerosene or other chemicals, or in any manner that might enable the fumes from chemicals to contaminate food;
- (b) food is stored in an organised manner so that both a food handler and a food safety officer can identify which food is closer to its expiry date or which food has been produced or processed most recently;
- (c) non-food items are present only as necessary and storage facilities are not also used for storage of personal clothing, personal hygiene items, or other items unless they are stored separately from food and in a manner that does not increase the likelihood of food contamination or provide pest harbourage; and
- (d) tools and cleaning materials are present only as necessary and are stored separately from food and food handling areas.

(4) If any non-food item is stored or displayed for sale in a retail or wholesale food business, the non-food item must be stored or displayed on separate shelves or on shelves below food items, unless otherwise permitted by a food safety officer.

**36. General maintenance of places and equipment** - A food place or food equipment must be kept in an appropriate state of repair and condition to facilitate all sanitation procedures, to function as intended, and to prevent contamination of food.

**37. Cleaning and disinfection**-(1) The operator of a food business must implement cleaning and disinfection programmes that are adequate to ensure that all parts of the place, its equipment and facilities are appropriately clean.

(2) Without limiting subregulation (1):

- (a) cleaning must be adequate to remove food residues and dirt which may be a source of contamination to food; and
- (b) wall, floor, ceiling, fan, fixture, window, door, surface or bench wiping cloths, equipment, or utensil in a restaurant must not be contaminated with dirt, dust, grease, or other material indicative of inadequate cleaning.

(3) Any vehicle, vessel, conveyance or bulk container for transporting food must be kept in an appropriate state of cleanliness, repair and condition.

(4) If the vehicle, vessel, conveyance or container is used for transporting different foods, or non-foods, effective cleaning and, if necessary, disinfection must take place between loads.

(5) Any cleaning chemical must be handled and used carefully and pursuant to the manufacturers' instructions and stored, if necessary, separated from food, in clearly identified containers in a manner as to avoid the risk of contaminating food, and as may be requested by a food safety officer for such purposes.

**38. Pest control-**(1) Any building for a place for food business must be kept in good repair and condition:

- (a) to prevent any animal or pest accessing the building; and
- (b) to eliminate potential breeding sites of animal or pest in it.

(2) Any food must be covered or overseen to prevent contamination by flies, insects, or other pests.

(3) Any animal must not be permitted in areas where food is cooked or where ready-to-eat food is handled, stored, displayed, sold or eaten.

(4) If possible, an animal must not be permitted in any food processing places, including its grounds.

(5) Any potential food source for pests, including but not limited to rice and flour, must be stored in pest-proof containers and stacked above the ground and away from walls.

(6) The inside and outside areas of the building must be kept clean.

(7) The building and the surrounding area must be regularly examined for evidence of infestation.

(8) Any pest infestation must be dealt with immediately and without adversely affecting food safety.

(9) Without limiting subregulation (7), any pesticides must not be applied to food packaging, food contact surfaces or food in any operation of a food business.

(10) Any waste must be stored in covered, pest-proof containers.

(11) Any waste must not be allowed to accumulate in food handling, food storage, and other working areas and the adjoining environment.

**39. Vehicles, vessels, conveyances and bulk containers -**

Any vehicle, vessel, conveyance or bulk container for transporting food must be designed and constructed so that it:

- (a) does not contaminate foods or packaging;
- (b) can be effectively cleaned and, where necessary, disinfected;
- (c) permits effective separation of different foods or foods from non-food items where necessary during transport;
- (d) provides effective protection from contamination, including dust or fumes;
- (e) can effectively maintain the temperature, humidity, atmosphere and other conditions necessary to protect food from harmful or undesirable microbial growth and deterioration likely to render it unsuitable for consumption; and
- (f) allows any necessary temperature, humidity and other conditions to be checked.

**40. Time and temperature control-**(1) The operator of a

food business must ensure that the temperature of food is controlled effectively to protect the food from any hazards.

(2) Any fresh meat, poultry, seafood or egg must be stored under refrigeration during storage and display in any food business operation.

(3) Without limiting subregulations (1) and (2), a food containing meat, seafood, poultry, or milk, other than shelf-stable food, must not, prior to sale, be held in a temperature zone of between 5°C and 60°C for more than two (2) hours in total.

(4) When reheating any previously cooked or any cooled high risk foods, such as food containing meat, poultry, seafood, cereal or egg to hold it hot, a heat process that rapidly heats the food to a temperature of 60°C or above must be used.

(5) The thawing of frozen food must be undertaken in a manner as to minimise the risk of growth of pathogenic microorganisms or the formation of any toxin in the food.

(6) Without limiting subregulation (5), the thawing process must be carried out:

- (a) under refrigeration;
- (b) through the use of microwaves;
- (c) under running potable water; or
- (d) under any other method that the Ministry approves as not likely to result in a risk to health.

(7) When any power shortage is experienced because of supply problems, the operator of a food business must protect the safety of the food by:

- (a) providing power generation facilities that are applied to the running of any refrigerator or freezer; or
- (b) using any other means that both ensures that any refrigerator or freezer is able to maintain the temperature of the food at safe temperatures and protects the food from contamination.

(8) A freezer used to hold food for sale must not to have excessive, in the opinion of a food safety officer, build-up of ice which may limit the efficiency of the freezer.

(9) If the operator of a food business:

- (a) purposely turned off the power to a freezer containing any food for sale; and

(b) the food, kept in the freezer when the power was turned off, is subsequently offered for sale, a food safety officer may seize and dispose of the food if there is concern for the food quality or safety.

(10) If:

(a) there is a power failure to any freezer containing food for sale; and  
(b) food held in the freezer at the time of the power failure is subsequently offered for sale, a food safety officer may, if satisfied that the food has not been consistently held at a temperature that keeps the food safe, seize and dispose of the food if there is concern for food quality or safety.

(11) Any vehicle or vessel used to transport any meat, fish or poultry must have adequate capacity to ensure:

- (a) frozen product remains frozen throughout the period of transportation; and
- (b) non-frozen raw meat, fish or poultry are maintained at less than 5°C.

**41. Microbiological cross-contamination-**(1) Any raw or unprocessed food must be separated from ready-to-eat foods if to do otherwise could contaminate the ready-to-eat food.

(2) A surface (including, but not limited to, food handlers' hands, utensils, equipment, cloths, or tables) must not be used in a manner that could transmit microorganisms between any raw meat, poultry or fish and any ready-to-eat food.

(3) A surface, utensil, or equipment must be thoroughly cleaned and disinfected after raw meat, poultry or fish has been handled or processed by, on or in it.

(4) Without limiting subregulation (1), any raw meat, raw fish, raw seafood, and raw poultry must be stored in a refrigerated or in frozen state in covered containers, or in a manner that provides adequate protection from microbiological cross-contamination from those foods to any other food.

(5) Any mixing batches of meals or meal components must be avoided if possible. If unavoidable, mixing of batches may occur if the food is kept below 5°C or above 60°C and is

stopped at least once every 24 hours. Mixing of batches may not occur if the food is displayed at room temperature.

(6) Any utensil:

- (a) used to serve food (including but not limited to rice and ice cream) must be stored in a manner to prevent microbial growth between use to prevent the growth of microbial contaminants; and
- (b) must not be stored in water, unless the water is held at temperatures that can prevent pathogen growth.

**42. Physical contamination** - The operator of a food business must ensure the operations prevent contamination of foods by foreign bodies such as, but not limited to, glass, hard plastic, wood, or metal pieces.

**43. Re-service of food prohibited** - The operator of a food business must not serve, or permit to be served to a person, food that has been served to another person except:

- (a) sugar, salt or condiment that has been put upon a table or counter if it is contained and continue to be contained in a protective receptacle; or
- (b) food that has been completely wrapped or packaged when served and that has remained completely wrapped or packaged without damage to the seal.

**44. Interference with food packages**-(1) A person must not (in, at, or on any place selling any food package to the consumer) open or interfere with the package of food intended for sale in that package, if it is likely to cause risk of contamination.

(2) The operator of a food business, if packages of food specified in subregulation (1) are exposed for sale, must display (in prominent position in, at, or on the place of food business) an appropriate notice stating the requirement under subregulation (1).

**45. Restrictions as to exposure of food-**(1) A person must not display or expose for sale food in, at or on any open place, including a doorway, street, lane, footpath or yard, in a manner that does not protect the food from contamination.

(2) Without limiting subregulation (1), a person must not display or expose for sale a food not requiring further preparation at a height which is likely to cause a risk of contamination, unless otherwise permitted by the Director General.

(3) A person must not deposit or allow to be deposited in, at, or on any doorway, street, lane footpath, yard or other open place:

- (a) any food; or
- (b) any appliance, such as tray, used or intended for use in the conveyance of bread, cakes, pastry, pies or other food that is ordinarily consumed in the same state that in which it is sold,

if it is likely to cause a risk of contamination of the food.

(4) The operator of a food business must when displaying any unpackaged ready-to-eat food for self-service:

- (a) ensure the display of the food is effectively supervised so that any food that is contaminated by a customer or is likely to have been so contaminated is removed from display without delay;
- (b) provide separate serving utensils for each food or other dispensing methods that minimise the likelihood of the food being contaminated; and
- (c) provide protective barriers that minimise the likelihood of contamination by customers.

**46. Incoming raw materials, ingredients and food** - The operator of a food business must inspect any incoming raw material, ingredient or food and reject it if:

- (a) it is known to be, or might reasonably be expected to be, contaminated with hazards;
- (b) it is known to contain decomposed materials or foreign matter;

- (c) it is after its “best before date”, “expiry date” or “sell by date”;
- (d) its package is found to be damaged; or
- (e) it contravenes these Regulations.

**47. Health status of food workers-**(1) A person who is known, or suspected, to be ill or suffering from, or to be infected with a disease likely to be transmitted through food, must not be permitted to enter any food handling area if there is a likelihood of the illness disease contaminating food.

(2) The person must immediately report the illness or disease or symptoms of illness or disease to the management of the food business.

**48. Personal cleanliness-**(1) A food handler must:

- (a) maintain a high degree of personal cleanliness; and
- (b) if appropriate, wear suitable protective clothing, head covering, and footwear.

(2) Any cuts or wounds, if a food handler is permitted to continue working, must be covered by suitable, dry and clean waterproof dressings.

(3) A food handler must always wash his or her hands when to do otherwise may affect food safety, in particular:

- (a) at the start of food handling;
- (b) immediately after using the toilet; or
- (c) after handling raw food or any contaminated material, if it could result in contamination of other food items.

**49. Personal behaviour-**(1) A person engaged in food handling activities must refrain from behaviour which could result in contamination of food.

(2) Without limiting subregulation (1), food handlers, while in the place of food business, must refrain from:

- (a) smoking;
- (b) spitting;
- (c) chewing or eating; or
- (d) sneezing or coughing over unprotected food.

(3) Any personal effect, such as jewellery, watch, pin or other item must not be worn or brought into food handling areas if it poses a threat to the safety of food.

(4) Without limiting subregulation (3), a food handler must not wear any ring if the ring could come in contact with food.

**50. Food handler training** - The operator of a food business must ensure that:

- (a) any newly employed food handler, prior to starting work in a food business, undertakes a training pursuant to section 16 of the Act; and
- (b) any food handler who deals with any food in the High Risk Food List, undertakes a 2-yearly refresher training pursuant to section 16 of the Act.

**51. Recall procedures**-(1) The operator of a food business who manufactures, imports or supplies wholesale any food must:

- (a) prepare a written food recall plan to effectively and efficiently recall food;
- (b) make the recall plan available to food safety officers upon request;
- (c) test that the recall plan at least every two (2) years; and
- (d) apply all appropriate aspects of the recall plan when recalling food unless a variation to the recall plan is requested or agreed to by the Director General.

(2) The operator of a food business who manufactures, imports or supplies wholesale any food and considers a food recall must:

- (a) as soon as possible, inform the Director General after recognising the concern;
- (b) provide full details of the food to be recalled; and
- (c) provide the Director General of any other necessary information identified in its food recall plan.

(3) The operator (except the operator under subregulation (2)) of a food business who considers a food recall must as soon as possible inform the Director General after recognising the concern provide full details of the food to be recalled.

(4) A food recall does not apply when the operator of a food business is withdrawing food for a quality issue or any other issue not potentially impacting on human health.

(5) The operator of a food business must inform the Director General prior to announcing a food withdrawal to the public.

(6) Any recalled food must be clearly labelled as such and be held under supervision until the food is destroyed, determined to be safe for human consumption, or reprocessed in a manner to ensure their safety.

(7) The operator of a food business who conducts a food recall must use standard documentation approved by the Director General when communicating with trading partners and the general public about the recall of food.

(8) The operator of a food business who is involved in a food recall must, upon the return of the recalled food to the place of business, provide any person returning the food a 100% refund.

(9) The operator of a food business who contravenes a provision of this regulation commits an offence.

## **PART 6**

### **HIGH RISK FOOD AND FOOD OF REGULATORY INTEREST**

**52. High risk food-**(1) Part 1 of Schedule 11 lists any food that is regarded as high risk food.

(2) The Director General may, acting on the advice of the Committee and by Notice in the Savali, determine any food, or class of food to be listed in a High Risk Food List.

(3) Any food determined under subregulation (2) is treated as listed in Part 1 of Schedule 11.

**53. Food of regulatory interest-**(1) Part 2 of Schedule 11 lists any food that is regarded as food of regulatory interest.

(2) The Director General may, acting on the advice of the Committee and publish by Notice in the Savali, determine a list of food, or class of food, of regulatory interest (“Food of Regulatory Interest List”) so designated because of being food:

- (a) with a non-compliance history; or
- (b) that is required to be fortified; or
- (c) that is being targeted to reduce the population’s exposure to fat, sugar or sodium in priority foods; or
- (d) that the Director General reasonably suspects could pose a public health risk.

(3) Any food determined under subregulation (2) is treated as listed in Part 2 of Schedule 11.

**54. Importation of listed food-**(1) A person must not import for sale any food listed in Schedule 11 unless intention to import food is given by the Director General.

(2) A person who intends to import a food for sale that is either on the High Risk Food List or the Food of Regulatory Interest List may, at least five (5) days prior to the food being imported into Samoa, apply in the approved form to the Director General.

(3) The application must include the invoices associated with the food to be imported.

(4) A food safety officer:

- (a) may carry out any inspection and sampling required for the purposes of subregulation (2) or (3); and
- (b) must -

- (i) review relevant documents including export certifications, HACCP or other relevant health certification documentation provided by competent authorities overseas; and

- (ii) carry out any inspection and sampling required, as soon as possible and in a manner so as not to unnecessarily delay the release of the food from customs and quarantine.

(5) The Director General must send a copy of the application to the Comptroller in order for Customs to hold the imports pending the determination of the application.

**PART 7**  
**PRODUCTION, MANUFACTURE**  
**AND IMPORTATION OF FOOD**

**55. Application for health certificate-**(1) A person who intends to operate a food business pursuant to section 13 of the Act to produce or manufacture any food for sale may apply in the approved form (accompanied by the prescribed fee) to the Director General for a health certificate.

(2) The Director General may direct a food safety officer to carry out any inspection pursuant to section 13(3) of the Act.

(3) A certificate of health under section 13 of the Act must be in an approved form.

(4) The Director General may require the applicant to provide any additional information on the application before issuing the certificate of health.

**56. General import requirements-**(1) Subject to regulations 57, 58 and 59, a person must not (unless authorised under this regulation) import any food or food ingredient that does not comply with the requirements of the Act or any other regulations made under the Act.

(2) The importer has the onus of demonstrating compliance with the Act or any of its regulations.

**57. Importation of raw and semi-processed food-**(1) Subject to regulation 58, if any food to be imported:

- (a) is a raw or semi-processed food that requires further processing; and
  - (b) the original packaging is required to be removed for processing before the food is sold in Samoa,
- the food may be repacked, reprocessed or reconditioned after importation to ensure compliance with the Act or these Regulations.

(2) A person who contravenes subsection (1) commits an offence.

**58. Importation of food for repackaging, etc.**-(1) A person who intends to import food with the intention to repack, reprocess or recondition food, must, first obtain the authorisation of a food safety officer.

(2) A person who contravenes subsection (1) commits an offence.

**59. Exempt imports** - The Director General in consultation with relevant technical experts may, by notice in the Savali, exempt any food or any class of food from this Part if the Director General is satisfied that granting an exemption will not have a negative impact on the public health.

**60. Personal import of food**-(1) A person is entitled to import any food imported into Samoa for personal consumption and is exempt from the requirements of the Act or these Regulations.

(2) The following food may be imported under subregulation (1):

- (a) any chilled and frozen meat and chilled and frozen fish not exceeding the approved quantity in total per person; or
- (b) for any meat product, dairy product, fishery product, such as processed fish (dried, cooked, cured or smoked), lobster or prawn not exceeding the approved quantity in total per person and comply with the following -
  - (i) the product does not require refrigeration before consumption;
  - (ii) the product is in commercially branded packaging; and
  - (iii) the packaging is unbroken unless in current use;
- (c) for powdered infant formula, or infant food not exceeding the approved quantity in total per person;

(d) for other foods, not exceeding the approved quantity in total per person.

(3) If the food is for personal consumption by the importer, including the importer's family and complies with the approved quantity outlined in this regulation, the food safety officer must not hold the product for further assessment.

(4) A person wishing to import food for their personal (or family's) use in greater quantities provided under this regulation (such as, to provide at a family event or ceremony, such as wedding, funeral or other family celebration, may apply to the Director-General.

(5) The Director-General may approve:

(a) by notice in the Savali, the quantity of food under subregulation (2); and

(b) an application under subregulation (4) subject to conditions necessary to safeguard public health and taking into account the following matters -

(i) the type and nature of food to be imported;

(ii) the proposed quantity of food to be imported and whether this seems a reasonable quantity for its intended use;

(iii) any potential risk to public health from the importation and consumption of the food; and

(iv) the suitability of the controls and safeguards that the importer will implement to ensure there is no harm to public health from the importation and consumption of the food;

(v) any other factors the Director-General considers relevant.

**61. Product identity-**(1) If any food is not imported for personal use, a food safety officer may inspect the documents accompanying the food to confirm the specific product identity.

(2) A product identity check requires a food safety officer to check:

(a) the name;

- (b) quantity (weight);
- (c) serial number of the container;
- (d) the exporting country and the name or registration number of the processing factory in that country; and
- (e) any other information necessary to verify the identity of the food.

(3) A food safety officer may also check to verify that the product, health marks, stamps and other necessary product and or package information conforms to the declaration on the health certificates for the products, as well as any accompanying documentation.

**62. Health or sanitary certification for imported food-(1)**

A food safety officer may subsequently inspect any health or sanitary certificate (“certificate”) that accompanies any imported food to determine that the certificate:

- (a) is from a recognised competent authority and is signed;
- (b) is relevant to the specific product for which it is associated;
- (c) is in English or Samoan and in an agreed format;
- (d) contains a statement of the controls in place at the food business, such as, good hygienic practice, good manufacturing practice, or a HACCP programme (or equivalent programme) is implemented and audited;
- (e) confirms that an audit or inspection has been undertaken in a reasonable time before the product is distributed.

(2) If the certificate does not meet the requirements of subregulation (1), the food safety officer must detain the food until the importer provides a satisfactory certificate.

(3) If the importer does not provide a certificate that meets the requirements of subregulation (1) in a timely manner, the food is to be re-exported or rejected and destroyed.

(4) The food must be rejected and destroyed if the food is likely to deteriorate while being detained.

**63. Analytical certificates-**(1) A food safety officer may inspect any food analysis certificate (“certificate”) to determine that:

- (a) certification covers the microbiological, chemical or physical parameters required by these Regulations;
- (b) certification is in English or Samoan and in an agreed format;
- (c) testing is conducted by laboratory approved under section 23 of the Act;
- (d) the test methodology is defined on the certificate and approved by the Director General.

(2) If the certificate does not meet the requirements of subregulation (1), a food safety officer must detain the food until the importer can provide a satisfactory certificate or until the food is analysed.

(3) The food must be re-exported or rejected and destroyed if the importer does not provide a certificate that meets the requirements of subregulation (1) in a timely manner.

(4) The food must be rejected and destroyed if the food is likely to deteriorate while being detained.

**64. Holding for physical checks** - If, after documentary and identity checks, there is a need to hold any food for physical checks, a food safety officer must, in writing, notify the importer and the Comptroller of the intention to physically examine the food.

**65. Permitting foods to be moved-**(1) If:

- (a) it is necessary to conduct a physical check; and
- (b) it is not possible to do so in a timely manner while in the Customs controlled area,

a food safety officer may agree with the importer for the food to be moved to another location in Samoa and to be held without further distribution until the physical inspection has been completed and a permit to import has been provided.

(2) The food safety officer must apply a lock or seal or tape to the container or the food to ensure that the food is not further distributed before examination.

**66. Physical checks** - When physical checks are carried out, the checks may include any physical observation or test appropriate to assess compliance with these Regulations.

**67. Sampling food**-(1) If any food product is not accompanied by adequate documentation showing the safety of the food, a food safety officer must take samples for analysis.

(2) The food safety officer must:

(a) advise the importer -

(i) that samples of the food have been collected for further testing; and

(ii) need to detain the food until the analyses have been completed (detention may take place in an agreed location pending the receiving of the analytical results);

(b) complete a collection report and provide copies as directed in the collection report.

(3) The food safety officer must advise the importer of the need to detain the food until the analyses have been completed (detention may take place in an agreed location pending the receiving of the analytical results).

(4) A food safety officer who obtains a sample of food for analysis must:

(a) divide the sample into 3 parts and mark and seal or fasten each part in a manner that is appropriate to the nature of the sample;

(b) leave one part with one of the following persons -

(i) the operator of the food business;

(ii) the person from whom the sample was obtained;

(iii) a person appearing to be the employee or agent of the operator of the food business or person from whom the sample was obtained;

(c) submit one part for analysis; and

(d) retain one part for future comparison.

(5) If dividing the sample into 3 parts under subregulation (4) would, in the opinion of the food safety officer:

- (a) affect or impair the composition or quality of the sample in such a way as to render the separate parts unsuitable for accurate analysis;
- (b) result in the separate parts being an insufficient size for accurate analysis; or
- (c) render the sample in any other way unsuitable for analysis (including unsuitable for analysis by a method of analysis prescribed in relation to the particular food from which the sample was taken),

the officer may take the number of samples that the officer considers necessary to enable an accurate analysis to be carried out and may deal with those samples in the manner he or she considers appropriate in the circumstances.

(6) However, if a food safety officer takes the sample of food in the form of separate or severable objects, it is not necessary for the officer to divide one of those objects into parts under subregulation (5), but the officer may:

- (a) take a number of those objects;
- (b) divide the number of objects taken into the requisite parts (with each part consisting of one or more separate or severable objects); and
- (c) then deal with those parts as required by subregulations (4) and (5).

(7) For Standards where Codex Standards are adopted under these Regulations, their adoption must not be taken to include Codex requirements for sampling or for methods of analysis.

**68. Satisfactory checks** - The Director General may authorise the importer to sell or supply the food if the results of sampling received under regulation 67 is satisfactory to the Director General.

**69. Re-labelling-**(1) If any food is rejected but a food safety officer considers that re-labelling is suitable, the importer may re-label the food pursuant to these Regulations.

(2) The food safety officer must:

- (a) advise the importer of the need to detain the product until the re-labelling has been completed; and

- (b) provide the importer with a copy of the detention report.
- (3) The detention of any food:
  - (a) may take place in an agreed location pending the receiving of proof that the food has been re-labelled appropriately; and
  - (b) must be monitored in its relocation by Customs and the food safety officer who permitted relocation in compliance with the detention report.
- (4) If the food is not re-labelled within three (3) months (from the date of the detention report) or any other period as the food safety officer may determine, the importer must re-export the food.
- (5) If the food is to be re-exported, the importer or any other person-in-charge of the food must inform the competent authority of the proposed importing country of the reason for re-export and must be in receipt of an agreement for any action to be taken.
- (6) The food safety officer who has requested the re-labelling must cooperate with other relevant authorities and the importer to ensure the product is not exported without evidence that the competent authority of the proposed importing country is in receipt of the information and there is an agreement for the action to be taken.
- (7) If the food is not re-labelling or re-exporting as agreed between the food safety officer and the importer, the food must be destroyed by any of the following means:
  - (a) crushing and burial; or
  - (b) incineration; or
  - (c) other suitable means determined by that officer.
- (8) The food safety officer must cooperate with the appropriate other government authorities to have the product destroyed under subregulation (7).

**70. Rejection and destruction-**(1) The food safety officer:

- (a) may reject any or all the lots in that article found deficient if satisfied that an article for import does not meet the requirements of the Act or these Regulations;

- (b) must mark the relevant invoice and manifest for that article as “REJECTED”;
  - (c) must issue a notice of rejection of article for import, in the approved form;
  - (d) if rejected at the port of entry, must, in the approved form, give a copy of the notice of rejection to the following -
    - (i) the Customs;
    - (ii) the Quarantine Division of the Ministry responsible for Agriculture and Fisheries; and
    - (iii) the importer;
  - (e) if rejected after port of entry, must give a copy of the notice of rejection, in the approved form, to the following -
    - (i) the competent authority of country from which the import originated;
    - (ii) the Customs;
    - (iii) the Quarantine Division of the Ministry responsible for Agriculture and Fisheries; and
    - (iv) the importer.
- (2) Any food rejected under this regulation must be destroyed pursuant to regulation 69(7) and (8) at the costs borne by the importer.
- (3) If the importer refuses to sign the rejection notice and agree to the destruction, the food safety officer must seize and hold the food until the issue is resolved or until the further holding of the food could lead to a public health concern.
- (4) If import rejections are caused due to failure of any food to comply with the Act, these Regulations or other enactment, a food safety officer must provide a copy of the notice of rejection to all relevant parties including:
- (a) the importer;
  - (b) the exporter; and
  - (c) the appropriate regulatory authority of the exporting country.

**PART 8**  
**MISCELLANEOUS**

**71. Other food standards** - The following Schedules set out other food standards:

- (a) Schedule 12 (Fruits and Vegetables);
- (b) Schedule 13 (Noni Juice);
- (c) Schedule 14 (Infant Formula);
- (d) Schedule 15 (Meat and Meat Products); and
- (e) Schedule 16 (Sugar).

**72. Advertisements of certain food-**(1) The operator of a food business must not advertise any food set out in a Notice published in the Savali by the Director General.

(2) The operator who contravenes subregulation (1) commits an offence.

**73. Record keeping** - The operator of a food business, in Samoa (including food manufacturers, producers, and sellers) must keep, and supply on demand to a food safety officer, information as notified, in the Savali, by the Director General, which demonstrates that food imported, manufactured, or sold by that person complies with the Act, these Regulations, other enactment and any relevant standards that are under the operator's reasonable control.

**74. Interference with official marks-**(1) A person who, wilfully removes, erases, alters, breaks or opens a label, mark, seal or fastening placed by a food safety officer on any food, article or record without authority commits an offence.

(2) Subregulation (1) does not apply to any part given by a food safety officer to that person or the person's agent.

**75. General offences and penalties** - A person who:

- (a) fails to comply with a provision of these Regulations or adopted any Codex Standards commits an offence and on conviction; or

(b) is convicted of an offence under these Regulations for which no penalty is provided, is liable to a fine not exceeding 500 penalty units.

**76. Transition and saving** - At the commencement of these Regulations the operator of a food business must ensure that a food handler, who is employed in the food business on or before the commencement of these Regulations, undergo training specified in section 16 of the Act, within one (1) year from the commencement of these Regulations.

**SCHEDULE 1***(regulation 6)***MAXIMUM PERMITTED LEVELS OF CHEMICAL CONTAMINANTS****Contents**

- |                                     |   |
|-------------------------------------|---|
| 1. Arsenic in edible fats, etc.     | 14. Lead in fish, etc.                              |
| 2. Arsenic in salt                  | 15. Mercury in sharks, etc.                         |
| 3. Arsenic in salt                  | 16. Mercury in all other species of fish            |
| 4. Cadmium in fish                  | 17. Mercury in salt                                 |
| 5. Anhydrous milkfat, etc.          | 18. Tin in canned corned beef, etc.                 |
| 6. Copper in edible animal fats     | 19. Chloro and propanediol in acid hydrolyzed foods |
| 7. Copper in salt                   | 20. Dichloro and propanol in acid hydrolyzed foods  |
| 8. Iron in anhydrous milkfat, etc.  | 21. Smoked fish                                     |
| 9. Lead in edible fats, etc.        | 22. Melamine in food                                |
| 10. Lead in named animal fats, etc. | 23. Melamine in feed for food animals               |
| 11. Lead in canned corned beef etc. | 24. Mycotoxins                                      |
| 12. Lead in salt                    | 25. Smoked meat                                     |
| 13. Lead in infant formula          |   |

**1. Arsenic in edible fats, etc.** - 0.1 mg/Kg is the maximum permitted levels of arsenic in edible fats and oils, named animal fats, named vegetable oils, olive oils and olive pumice oils, and fats spreads and blended spreads.

**2. Arsenic in salt** - 0.5 mg/Kg is the maximum permitted levels of arsenic in salt.

**3. Cadmium in salt** - 0.5 mg/Kg is the maximum permitted levels of cadmium in salt.

**4. Cadmium in fish** - Maximum permitted levels of cadmium in fish and fisheries products must be as prescribed below:

<b>Product</b>	<b>Max level (mg/Kg)</b>
Muscle meat of fish, excluding those listed below	0.05
Muscle meat of: bonito ( <i>Sarda sarda</i> ), horse mackerel or scad ( <i>Trachurus, trachurus</i> ), sardine ( <i>Sardina pilcardus</i> ), sardinops ( <i>Sardinops species</i> ), spotted seabass ( <i>Dicentrarchus punctatus</i> ), tuna ( <i>Thunnus species</i> and <i>Euthynnys species</i> )	0.1
Crustaceans, excluding brown meat of crab and excluding head and thorax meat of lobster and similar large crustaceans ( <i>Nephropidae</i> and <i>Palinuridae</i> )	0.5
Cephalopods (without viscera)	1.0

**5. Anhydrous milkfat, etc.** - 0.05 mg/Kg is the maximum permitted levels of copper in anhydrous milkfat, milkfat, anhydrous butteroil and butteroil and ghee.

**6. Copper in edible animal fats** - 0.4 mg/Kg is the maximum permitted levels of copper in edible animal fats not elsewhere specified.

**7. Copper in salt** - Maximum permitted levels of copper in salt must be 2.0 mg/Kg.

**8. Iron in anhydrous milkfat, etc.** - 0.2 mg/Kg is the maximum permitted levels of iron in anhydrous milkfat, milkfat, anhydrous butteroil and butteroil and ghee.

**9. Lead in edible fats, etc.** - 0.2 mg/Kg is the maximum permitted levels of lead in edible fats and oils, unless otherwise stated as with the named animal fats and vegetable oils and olive oils and olive pumice oils.

**10. Lead in named animal fats, etc.** - 0.1 mg/Kg is the maximum permitted levels of lead in named animal fats, named vegetable oils, olive oils and olive pumice oils, and fats spreads and blended spreads.

**11. Lead in canned corned beef, etc.** - 0.5 mg/Kg is the maximum permitted levels of lead in canned corned beef, canned luncheon meat and sugars.

**12. Lead in salt** - 2 mg/Kg is the maximum permitted levels of lead in salt.

**13. Lead in infant formula** - 0.02mg/Kg is the maximum permitted levels of lead in infant formula.

**14. Lead in fish, etc.** - Maximum permitted levels of lead in fish and fisheries products must be as prescribed below:

Product	Max Level (mg/Kg)
Muscle meat of fish, excluding those listed below.	0.2
Muscle meat of: bonito ( <i>Sarda sarda</i> ), horse mackerel or scad ( <i>Trachurus, trachurus</i> ), sardine ( <i>Sardina pilcardus</i> ), sardinops ( <i>Sardinops</i> species), spotted seabass ( <i>Dicentrarchus punctatus</i> ), tuna ( <i>Thunnus</i> species and <i>Euthynnys</i> species)	0.4
Crustaceans, excluding brown meat of crab	0.5
Cephalopods (without viscera)	1.0

**15. Mercury in sharks, etc.** - 1.0 mg/Kg is the maximum permitted levels of total mercury in Sharks (all species), Tuna (*Thunnus spp.*), Little tuna (*Euthynnus spp.*), Bonito (*Sarda spp.*), Plain bonito (*Orcynopsis unicolor*), Swordfish (*Xiphias gladius*), Sailfish (*Istiophorus platypterus*), Marlin (*Makaira spp.*), Bass (*Dicentrarchus labrax*), Portuguese dogfish (*Centroscymnus coelolepis*), Rays, (*Raja spp.*), Anglerfish (*Lophius spp.*), Emperor or Orange roughy (*Hoplostethus atlanticus*), Bonito (*Sarda sarda*), Grenadier (*Coryphaenoides rupestris*), Plain bonito (*Orcynopsis unicolor*), Snake mackerel or Butterfish (*Lepidocybium flavobrunneum*, *Ruvettus pretiosus*, *Gempylus serpens*).

**16. Mercury in all other species of fish** – 0.5 mg/Kg is the maximum permitted levels of total mercury in all other species of fish other than those described in subclause (15).

**17. Mercury in salt** - 0.1 mg/Kg is the maximum permitted levels of mercury in salt.

**18. Tin in canned corned beef, etc.** - 200 mg/Kg is the maximum permitted levels of tin in canned corned beef and canned luncheon meat must be 50 mg/Kg unless it is in tinplate containers when the maximum permitted.

**19. Chloro and propanediol in acid hydrolyzed foods** - 0.2mg/Kg is the maximum permitted levels of 3-chloro-1,2-propanediol in acid hydrolyzed foods such as, but not limited to, soy sauce and fish sauce.

**20. Dichloro and propanol in acid hydrolyzed foods** - 5µg/Kg is the maximum permitted levels of 1,3-dichloro-2-propanol in acid hydrolyzed foods such as, but not limited to, soy sauce and fish sauce.

**21. Smoked fish** - Smoked fish may contain formaldehyde incidentally absorbed in the processing in a proportion not exceeding 5 mg/Kg.

**22. Melamine in food** - While not being permitted to be purposefully added to food, in recognition that some foods may become contaminated accidentally, the maximum permitted level for melamine in food is 1mg/Kg in food for infants up to three (3) years and 2.5mg/Kg for all other food.

**23. Melamine in feed for food animals** - While not being permitted to be purposefully added to animal feed, in recognition that some feed may become contaminated accidentally, the maximum permitted levels for melamine in feed for food animals is 2.5mg/Kg.

**24. Mycotoxins** - Mycotoxins must not be at levels above those permitted by the Codex Alimentarius.

**25. Smoked meat** - Smoked meat may contain formaldehyde incidentally absorbed in the processing in a proportion not exceeding 5 mg/Kg.

## SCHEDULE 2

(regulation 9)

### MAXIMUM LIMITS ON MICROBIOLOGICAL CONTAMINANTS IN FOODS

Food	Where criterion applies	Microorganism or microbial toxin/sample unit size	n	c	m	M
Milk powder, cream powder, and whey powder	Products prior to import, at point of import, and at the point of sale	<i>Salmonella</i> /25 g	5	0	0	
Powdered infant formula products		<i>Bacillus cereus</i> /25g <i>Coagulase-positive staphylococci</i> /25g	5 5	0 1	10 <sup>2</sup> /g 0/g	10/g
Egg products		<i>Salmonella</i> /25 g	5	0	0	
Packaged natural mineral water		<i>Escherichia coli</i> /250 ml	2	0	0	
		Total coliforms/100mL	2	0	0	

Packaged water and packaged waters defined by origin other than natural mineral water	<i>Escherichia coli</i> /250 ml	2	0	0	
	Total coliforms/100mL	2	0	0	
Packaged ice for human consumption	<i>Escherichia coli</i> /100 ml	2	0	0	
Ice cream	<i>Escherichia coli</i> /100g	2	0	0	
	<i>Salmonella</i> /25g	5	0	0	
Meat products intended to be eaten cooked sampled prior to cooking, including minced meat and meat preparations made from poultry meat and other species	<i>Salmonella</i> /10 g	5	0	0	
Turkey tails and other poultry tail products, intended to be eaten cooked, sampled prior to cooking	<i>Salmonella</i> /10 g	5	0	0	
Ready-to-eat meat not elsewhere addressed	<i>Salmonella</i> /25 g	5	0	0	
	<i>Escherichia coli</i> /100g	2	0	0	
Ready-to-eat cooked crustaceans including crabs, lobster, shrimp and prawns	Staphylococcal enterotoxins/25g	5	0	0	
	<i>Salmonella</i> /25 g	5	0	0	

Bivalve molluscs intended to be eaten raw	<i>Escherichia coli</i> /100g	1 <sup>1</sup>	0	230 MPN / 100g	
	<i>Salmonella</i> /25 g	5	0	0	
Pre-cut fruit and vegetables (ready-to-eat)	<i>Escherichia coli</i> /25g	2	1	0	10
	<i>Salmonella</i> /25 g	5	0	0	
Ready-to-eat spices	<i>Salmonella</i> /25 g	5	0	0	
Battered and otherwise heavily handled food prior to or after cooking	<i>Staphylococcal enterotoxins</i> /25g	5	0	0	
	<i>Coagulase-positive staphylococci</i> /25g	5	1	0/g	10/g
Marine fish (other than bivalve molluscs) to be eaten raw	<i>Vibrio parahaemolyticus</i>	5	0	0	
	<i>Escherichia coli</i> /100g	1 <sup>2</sup>	0	230 MPN / 100g	
Noni juice	<i>Escherichia coli</i> /50ml	2	0	0	

Where - n means the minimum number of sample units which must be examined from a lot of food; c means the maximum allowable number of sample units with microbiological levels above m; M means the level that if exceeded in any one sample would cause the lot to be rejected as not meeting these Regulations.

<sup>1</sup> Pooled from a minimum of 10 animals.

<sup>2</sup> Pooled from a minimum of 10 samples.

**SCHEDULE 3**  
(regulation 11(3))

**Table 3.10 Proposed Nutrient Profiling Model**

Threshold Group	Commodity Description	Food based dietary guideline category	Thresholds				Notes
			To be considered 'healthier', product must contain less than:				
			Fat g/100g	Saturated Fat g/100g	Sugar g/100g	Sodium mg/100g	Influences
1	Confectionary	Energy dense and/or nutrient poor foods	20		15	330	Energy dense, nutrient poor category
	Cakes, sweet biscuits etc.						Sodium levels based on savoury snack levels (50% reduction)
	Savoury snacks						Fat based on median and WHO
	Edible ices						Sugar based on WHO and median
	Sauces and spices						

2	Beverages		4		0	0	Also 0 non-sugar sweeteners
							Fat based on plain (whole) milk
3	Breakfast cereals	Energy foods	15		15	500	Sodium based on median and HF (Aust)
	Convenience foods						Fat based on WHO, increased based on median levels in convenience foods
	Breads						Sugar based on WHO and median levels
	Pasta, rice, grains						
4	Processed meats (incl canned)	Body-building foods	15			500	Fat based on mean for processed and fresh meat (set above tinned fish)

	Meat, poultry, fish, eggs						Sodium based on median, which is also 50% of mean (in line with target)
	Other milk products						
	Cheese						
5	Fats & oils			20			Based on WHO model
6	Table Salt						
7	Processed fruit & vegetables	Protective foods					
	Fruit & vegetables (fresh & frozen)						
	Root crops						
	Coconut products						

**SCHEDULE 4**  
(regulation 17(2))  
**TABLE OF CONDITIONS FOR NUTRIENT CONTENT CLAIMS**

COMPONENT	CLAIM	CONDITIONS (not more than)
Energy	Low	40 kcal (170 kJ) per 100 g (solids) or 20 kcal (80 kJ) per 100 ml (liquids)
	Free	4 kcal per 100 ml (liquids)
Fat	Low	3 g per 100 g (solids) 1.5 g per 100 ml (liquids)
	Free	0.5 g per 100 g (solids) or 100 ml (liquids)
Saturated Fat <sup>2</sup>	Low	1.5 g per 100 g (solids) 0.75 g per 100 ml (liquids) and 10% of energy from saturated fat
	Free	0.1 g per 100 g (solids) 0.1 g per 100 ml (liquids)
Cholesterol <sup>2</sup>	Low	0.02 g per 100 g (solids) 0.01 g per 100 ml (liquids)
	Free	0.005 g per 100 g (solids) 0.005 g per 100 ml (liquids) and, for both claims, less than: 1.5 g saturated fat per 100 g (solids) 0.75 g saturated fat per 100 ml (liquids) and 10% of energy from saturated fat
Sugars	Free	0.5 g per 100 g (solids) 0.5 g per 100 ml (liquids)
	Low	0.12 g per 100 g
Sodium	Very Low	0.04 g per 100 g
	Free	0.005 g per 100 g
COMPONENT	CLAIM	CONDITIONS (not less than)
Protein	Source	10% of NRV per 100 g (solids) 5% of NRV per 100 ml (liquids) or 5% of NRV per 100 kcal (12% of NRV per 1 MJ) or 10% of NRV per serving
	High	2 times the values for "source"
Vitamins and Minerals	Source	15% of NRV per 100 g (solids) 7.5% of NRV per 100 ml (liquids) or 5% of NRV per 100 kcal (12% of NRV per 1 MJ) or 15% of NRV per serving
	High	2 times the value for "source"
Dietary Fibre	Source	3 g per 100 g <sup>3</sup> or 1.5 g per 100 kcal or 10 % of daily reference value <sup>4</sup> per serving <sup>4</sup>
	High	6 g per 100 g <sup>3</sup> or 3 g per 100 kcal or 20 % of daily reference value <sup>4</sup> per serving <sup>4</sup>

<sup>2</sup> In the case of the claims for saturated fat and cholesterol, trans fatty acids should be taken into account where applicable.  
<sup>3</sup> Conditions for nutrient content claims for dietary fibre in liquid foods to be determined at national level.  
<sup>4</sup> Serving size and daily reference value to be determined at national level.

**SCHEDULE 5**  
(*regulation 17(6)*)

**FORTIFIED FOODS**

**1. Iron fortified foods**

(a) Flour

**2. Iodine fortified foods**

(a) Salt

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**SCHEDULE 6**  
(*regulation 19(1)*)

**STANDARDS ON EGGS**

**Contents**

- |  |  |
|--|--|
| 1. General hygiene practice              | 6. Shelf life                                    |
| 2. Feeding                               | 7. Country of origin                             |
| 3. Pest control                          | 8. Standard nutritional information requirements |
| 4. Agricultural and veterinary chemicals | 9. In addition to other enactment                |
| 5. Labelling                             |  |

**1. General hygienic practice** - An egg handler must:

- (a) manage water in a way that minimizes the potential for the transmission or the introduction of microbiological or chemical hazards, directly or indirectly, into or on the egg; and
- (b) ensure that water used in primary production operations is suitable for the water's intended purpose and do not contribute to the introduction of microbiological or chemical hazards into or on eggs.

**2. Feeding** - An egg handler must ensure that feed for the laying and, or breeding flock do not introduce, directly or indirectly, microbiological or chemical contaminants into eggs.

**3. Pest control** - An egg handler must apply properly designed pest control programme and measures which should not result in unacceptable levels of residues, such as pesticides, in or on eggs.

**4. Agricultural and veterinary chemicals** - An egg handler must procure, transport, store and use agricultural and veterinary chemicals in such a way that they do not pose a risk of contaminating the eggs, flock or the egg-laying establishment.

**5. Labelling**-(1) Any packaged eggs must be labelled with clear instructions to enable the next person in the food chain to handle, display, store and use the packaged eggs safely.

(2) Each container or sub-container of eggs must be marked with a name or names and physical address, telephone number, fax and email of the person or company by whom or for whom the eggs were graded and packed.

(3) The 'sell by date' (which must be one date) must be marked on the egg container (Date/Month/Year).

(4) Storage conditions must be clearly marked on the container.

(5) One of the following sizes must be clearly marked on the container:

- (a) jumbo;
- (b) extra large;
- (c) large;
- (d) medium; or
- (e) small.

(6) An advertisement, sign or placard, which indicates the price of eggs for sale, must also use the full designation of size of eggs.

(7) Superlative descriptions or other amplifications of grade or size are not permitted on containers, for example Fancy, Select, Superior, Premium, Giant, and others.

(8) The following are prohibited from appearing in labels:

- (a) health claims; or
- (b) descriptive terms that relate to health such as "polyunsaturated", "higher in iodine" etc. unless it is approved by the Samoa National Codex Committee.

(9) The size, grade, name and address markings are not required on containers or sub-containers:

- (a) if sold at retail from a properly marked bulk display and packaged in the presence of the purchaser;
- (b) if packed for shipment or in transit at the airport or wharf;
- (c) if sold to household consumers without advertising by the producer on the premises where produced; or
- (d) if being delivered to competent authority for grading.

**6. Shelf life** - Any eggs must have a shelf life of 30 days from laying at or under 7°C, or five (5) days from laying at ambient temperature.

**7. Country of origin** - A requirement that a statement on eggs such as “Product of Samoa” must be included to enable a purchaser to know where the produce originates from, such as, whether produced in Samoa or imported to bring it in line with best practices of other countries.

**8. Standard nutritional information requirements-**(1) Any egg packaging must include a Nutrition Information Panel (NIP) as in standard practice in many developed countries.

(2) The minimum information required in the NIP (when no nutrition claims are made) is set out in below.

(3) If the average quantities or minimum/maximum quantities for the serving or quantity per 100g (or 100 ml) information is used, it must be stated on the NIP e.g. “average quantity per serving” or “average quantity per 100 g / 100 ml”.

**9. In addition to other enactment** - This Schedule is in addition to and does not affect any other enactment regulating eggs.

## SCHEDULE 7

(regulation 19(2))

### STANDARDS ON FISH AND FISHERIES PRODUCTS

#### Contents

- |   |   |
|---|---|
| 1. Standard on fresh fish and fish products             | 4. Standard on canned mackerel products           |
| 2. Standard on canned tuna and bonito                   | 5. Standard on canned finfish                     |
| 3. Standard on canned sardine and sardine-type products | 6. Standard on frozen fish and fisheries products |

**1. Standard on fresh fish and fish products-**(1) In this Schedule, “fresh”, in relation to fish and fish products, means untreated except for refrigeration, storage on ice, or freezing upon catching at sea or in lakes or other bodies of water in order to prevent decomposition and spoilage.

(2) For fish or fish products derived from the families *Scombridae*, *Clupeidae*, *Coryphaenidae*, *Engraulidae* and *Pomatomidae*, the maximum level of histamine permitted to be detected must be 10 mg/100 g based on the average of the sample units tested, provided more than one sample unit is tested.

**2. Standard on canned tuna and bonito-**(1) Without limiting the Codex Standard on canned tuna and bonito, the following specific product requirements for canned tuna and bonito must apply:

- (a) canned tuna and bonito are products consisting of the flesh of any of the species identified as tuna and bonito in Codex Standard 70 of 1981 and its revisions and are packed in hermetically sealed containers;
- (b) the name of the product as declared on the label must be "tuna" or "bonito", and may be preceded or followed by the common or usual name of the species in a manner not to mislead the consumer;
- (c) the name of the product may be qualified or accompanied by a term descriptive of the colour of the product, but the term "white" must be used only for *thunnus alalunga* (Albacore);
- (d) when the term "white" is used under paragraph (c), the flesh must be predominantly white;
- (e) the form of presentation must be declared in close proximity to the common name and must be presented as "solid", "chunk", "flake", "flakes", "grated" or "shredded" as specified in Codex Standard 70 of 1981 and its revisions;
- (f) where the form of presentation is declared as stated in paragraph (e) it must not be used in a misleading manner;
- (g) the name of the packing medium (water, oil or other) must form part of the name of the food and must not be misleading;
- (h) the product must be free of organisms capable of growth under normal storage conditions;
- (i) the product must be free from container integrity defects which may compromise the hermetic seal.

(2) In addition to the requirements specified in subclause (1), canned tuna and bonito with the following characteristics will be considered to be non-compliant with this Schedule when more than one sample unit in a lot or consignment has any of the following characteristics. The samples:

- (a) are affected by persistent and distinct objectionable odours or flavours indicative of decomposition or rancidity;
- (b) contain excessively mushy or tough ingredients uncharacteristic of the product;
- (c) are affected by discolouration indicative of decomposition or rancidity or by sulfide staining of more than 5% of the fish by weight; or
- (d) are affected by struvite crystals greater than 5 mm in length.

(3) Canned tuna and bonito must comply with the maximum limits on histamine specified in clause 1.

**3. Standard on canned sardine and sardine-type products-(1)**

Without limiting the Codex Standard on canned sardine and sardine-type products, the following specific product requirements for canned sardine and sardine-type products must apply:

- (a) canned sardines and sardine-type products are products consisting of the flesh of any of the species identified in Codex standard 94 of 1981 and its revisions and are packed in hermetically sealed containers;
- (b) the name of the packing medium (water, oil or other) must form part of the name of the food and must not be misleading;
- (c) if the fish has been smoked or smoke flavoured, this information must appear on the label;
- (d) the product must be free of organisms capable of growth under normal storage conditions;
- (e) the product must be free from container integrity defects which may compromise the hermetic seal.

(2) In addition to the requirements specified in subclause (1), canned sardines and sardine-type products with the following characteristics will be considered to be non-compliant with this Standard when more than one sample unit in a lot or consignment has any of the following characteristics. The samples:

- (a) are affected by persistent and distinct objectionable odours or flavours indicative of decomposition or rancidity;
- (b) contain excessively mushy or tough ingredients uncharacteristic of the product;
- (c) are affected by discolouration indicative of decomposition or rancidity or by sulfide staining of more than 5% of the fish by weight; or
- (d) are affected by struvite crystals greater than 5 mm in length.

(3) Canned sardines and sardine-type products must comply with the maximum limits on histamine specified in clause 1.

**4. Standard on canned mackerel-(1)** Without limiting the Codex Standard on canned mackerel, the following specific product requirements for canned mackerel must apply:

- (a) canned mackerel are products consisting of the flesh of any one of the fish genera commonly identified as mackerel including, but not limited to, members of the *genera Scomber* and *Scomberomorus* and species *Pneumatophorus diego* and *Auxis thazard* and are packed in hermetically sealed containers and have received a processing treatment sufficient to ensure commercial sterility;
- (b) the product must be prepared from sound mackerel from which the heads, tails and viscera have been removed;
- (c) the name of the packing medium (water, oil or other) must form part of the name of the food and must not be misleading;

- (d) if the fish has been smoked or smoke flavoured, this information must appear on the label;
  - (e) the product must be free of organisms capable of growth under normal storage conditions;
  - (f) the product must be free from container integrity defects which may compromise the hermetic seal.
- (2) In addition to the requirements specified in subclause (1), canned mackerel with the following characteristics will be considered to be non-compliant with this Schedule when more than one sample unit in a lot or consignment has any of the following characteristics. The samples:
- (a) are affected by persistent and distinct objectionable odours or flavours indicative of decomposition or rancidity;
  - (b) contain excessively mushy or tough ingredients uncharacteristic of the product;
  - (c) are affected by discolouration indicative of decomposition or rancidity or by sulfide staining of more than 5% of the fish by weight; or
  - (d) are affected by struvite crystals greater than 5 mm in length.
- (3) Canned mackerel must comply with the maximum limits on histamine specified in clause 1.

**5. Standard on canned finfish-**(1) Without limiting the Codex Standard 119 for canned finfish and its revisions, the following specific product requirements for canned finfish products (other than canned finfish covered by other product Standards) must apply:

- (a) canned finfish products are products consisting of the flesh of finfish which is suitable for human consumption and may contain a mixture of species, with similar sensory properties, from within the same genus, and are packed in hermetically sealed containers and have received a processing treatment sufficient to ensure commercial sterility;
- (b) the product must be prepared from sound finfish from which the heads, tails and viscera have been removed;
- (c) where a mixture of species of the same genus is used, the species used must be indicated on the label;
- (d) the name of the product declared on the label must be the common or usual name applied to the fish in the country and must be presented in a manner not to mislead the consumer;
- (e) the name of the packing medium (water, oil or other) must form part of the name of the food and must not be misleading;
- (f) if the fish has been smoked or smoke flavoured, this information must appear on the label;
- (g) the product must be free from container integrity defects which may compromise the hermetic seal.

(2) In addition to the requirements specified in subclause (1), canned finfish products with the following characteristics will be considered to be non-compliant with this Standard when more than one sample unit in a lot or consignment has any of the following characteristics. The samples:

- (a) are affected by persistent and distinct objectionable odours or flavours indicative of decomposition or rancidity;
- (b) contain excessively mushy or tough ingredients uncharacteristic of the product;
- (c) are affected by discolouration indicative of decomposition or rancidity or by sulfide staining of more than 5% of the fish by weight; or
- (d) are affected by struvite crystals greater than 5 mm in length.

(3) Canned finfish of the relevant families must comply with the maximum limits on histamine specified in clause 1.

**6. Standard on frozen fish and fisheries products-**(1) This clause applies to all quick frozen fish; quick frozen lobster; quick frozen blocks of fish fillet, minced fish flesh and mixtures of fillets and minced fish; eviscerated and un-eviscerated quick frozen finfish; and quick frozen fish sticks (fish fingers), fish portions and fish fillets - breaded or battered.

(2) Without limiting the Codex Standards 36 and 166 and their revisions for “quick frozen finfish” and “quick frozen fish sticks (fish fingers), fish portions and fish fillets – breaded or in batter”, the following specific product requirements for frozen fish and fisheries products must apply:

- (a) if the product is glazed, the water used for glazing or preparing glazing solutions must be of potable quality or must be clean sea-water;
- (b) if the product has been glazed with sea-water, a statement to this effect must be made;
- (c) if the food has been glazed, the declaration of net contents of the food must be exclusive of the glaze;
- (d) the label must include terms to indicate that the product must be stored at a temperature of minus 18°C or colder.

(3) In addition to the requirements specified in subclause (2), product referred to in subclause (1) must be considered to be non-compliant with this Standard when more than one sample unit has any of the following characteristics:

- (a) greater than 10% of the surface area of the sample unit exhibits excessive loss of moisture clearly shown as white or yellow abnormality on the surface;
- (b) the presence of two (2) or more parasites per kg of the sample unit with a capsular diameter greater than 3 mm or a parasite not encapsulated and greater than 10 mm in length;
- (c) any bone present in product labelled boneless;
- (d) affected with pasty texture resulting from parasitic infestation affecting more than 5% of the sample unit by weight;

- (e) the presence of ruptured bellies in un-eviscerated fish, indicative of decomposition;
  - (f) specifically for quick frozen lobster, distinct blackening of more than 10% of the surface area of the shell of individual whole or half lobster, or in the case of tail meat, distinct black, brown, green or yellow discolourations singly or in combination, of the meat affecting more than 10% of the weight.
- (4) Frozen fish of the relevant families must comply with the maximum limits on histamine specified in clause 1.
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## **SCHEDULE 8**

*(regulation 19(3))*

### **STANDARDS ON CEREAL AND CEREAL PRODUCTS**

#### **Contents**

1. Standard on rice
2. Standard on wheat flour

**1. Standard on rice-**(1) This clause:

- (a) applies to husked rice, milled rice, and parboiled rice, all for direct human consumption; i.e., ready for its intended use as human food, presented in packaged form or sold loose from the package directly to the consumer; but
  - (b) does not apply to other products derived from rice or to glutinous rice.
- (2) Milled rice must not be contaminated with more than 0.1% m/m extraneous inorganic matter (such as sand, stones, dust etc).
- (3) Milled rice must not be contaminated with more than 1.5% m/m extraneous organic matter (such as seeds, straw, bran, husk etc).
- (4) In addition to the general requirements on labelling, the following provisions must apply:
- (a) fortified rice must be labelled as “Fortified” or “Enriched” and must identify the ingredient added for fortification purposes and must specify the concentration in which it is present in the final product; and
  - (b) if rice is classified as long grain, medium grain or short grain, the classification used on the label on the product must be pursuant to the specifications for such in Codex Standard 198.

**2. Standard on wheat flour-(1) This clause:**

- (a) applies to -
    - (i) wheat flour for direct human consumption prepared from common wheat, *Triticum aestivum* L., or club wheat, *Triticum compactum* Host., or mixtures thereof, by grinding or milling processes in which the bran and germ are partly removed and the remainder is comminuted to a suitable degree of fineness, and which is prepackaged ready for sale to the consumer or destined for use in other food products; and
    - (ii) whole meal, whole-wheat flour or semolina, milled from common wheat, *Triticum aestivum* L., or club wheat, *Triticum compactum* Host., or mixtures thereof, and which is pre-packaged ready for sale to the consumer or destined for use in other food products; but
  - (b) does not apply to -
    - (i) any product prepared from durum wheat, *Triticum durum* Desf., singly or in combination with other wheat;
    - (ii) wheat flour destined for use as a brewing adjunct or for the manufacture of starch and/or gluten; or
    - (iii) wheat flour for non-food industrial use.
- (2) The following specific product requirements must apply:
- (a) wheat flour must have a maximum moisture content of 15.5% m/m;
  - (b) wheat flour and any added ingredients must be safe and suitable for human consumption;
  - (c) wheat flour must be free from abnormal flavours, odours, and living insects;
  - (d) wheat flour must be free from filth (impurities of animal origin, including dead insects) in amounts not consistent with good manufacturing practice;
  - (e) wheat flour must be packaged in containers which will safeguard the hygienic, nutritional, technological, and organoleptic qualities of the product;
  - (f) the containers, including packaging material -
    - (i) must be made of substances which are safe and suitable for their intended use; and
    - (ii) must not impart any toxic substance or undesirable odour or flavour to the product;
  - (g) when the product is packaged in sacks, these must be clean, sturdy and strongly sewn or sealed;

(h) in addition to general requirements on labelling, the following provisions must apply -

(i) the name of the product to be shown on the label must be "wheat flour."; and

(ii) fortified wheat flour must be labelled as "Fortified" or "Enriched" and must identify the ingredients added for fortification purposes and must specify the concentration in which it is present in the final product.

(3) The following specific product requirements must apply only to wheat flour for direct human consumption prepared from common wheat, *Triticum aestivum* L., or club wheat, *Triticum compactum* Host., or mixtures thereof, by grinding or milling processes in which the bran and germ are partly removed and the remainder is comminuted to a suitable degree of fineness, and which is pre-packaged ready for sale to the consumer or destined for use in other food products:

(a) all such wheat flour imported, processed, displayed or sold in Samoa or exported from Samoa must be prepared so as to provide the following minimum levels of micronutrients, including all nutrients naturally present, in the wheat flour at the point of import, the point of export and the point of sale -

(i) 6.0 mg/Kg of Thiamin from a source of thiamin mononitrate;

(ii) 2.0 mg/Kg of Riboflavin;

(iii) 55 mg/Kg of Niacin;

2.0 mg/Kg of Folic acid;

(b) iron from a source of elemental iron powder of 45 microns average diameter or similar made by an electrolytic reduction process at levels of 60mg/Kg or from *ferrous fumarate* at levels of 45mg/Kg or from other subsequently approved sources; and

(c) 30 mg/Kg of zinc from a source of zinc oxide;

(d) despite paragraph (a), if such flour is to be exported and the requirements of the importing country are in conflict with this Schedule, the wheat flour must comply with the requirements of the importing country.

(4) Where whole meal, whole-wheat flour or semolina, milled from common wheat, *Triticum aestivum* L., or club wheat, *Triticum compactum* Host., or mixtures thereof, for sale or use in the country is enriched or fortified, it must be prepared so as to provide the same minimum levels of micronutrients as specified in subclause (4)(a), including all nutrients naturally present, in the wheat flour at the point of import, the point of export and the point of sale.

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**SCHEDULE 9***(regulation 19(4))***STANDARDS ON SALT**

**1. Standard on salt and reduced sodium salt mixtures-**(1) All salt for import into, and for use and sale in Samoa for processing of food and for direct human consumption must:

- (a) be salt to which has been added potassium iodide or iodate, or sodium iodide or iodate;
- (b) contain potassium iodide or iodate, or sodium iodide or iodate equivalent to not less than 20 mg/Kg and not more than 30 mg/Kg of iodine;
- (c) contain no less than 97% sodium chloride on a dry matter basis, exclusive of permitted food additives.

(2) Reduced sodium salt mixtures must contain no more than 200g/Kg sodium and 400g/Kg potassium.

(3) The addition of iodine-containing compounds to reduced sodium salt mixtures must be in conformity with the aim of ensuring salt is iodized.

(4) In addition to general requirements on labelling, the following provisions must apply:

- (a) salt must be labelled as “Fortified” or “Enriched” or “Iodized” and must identify the ingredients added for fortification purposes and must specify the concentration in which it is present in the final product; and
- (b) reduced sodium salt mixtures must declare the sodium and potassium content, expressed per 100 g (this must not constitute a nutrition claim).

(5) If necessary in order to avoid the loss of iodine, iodized salt must be packed in air tight bags of either high density polyethylene (HDPE) or polypropylene (PP) (laminated or non-laminated) or LDPE-lined jute bags (Grade 1803 DW jute bags lined with 150 gauge polyethylene sheet) unless the food business is able to demonstrate consistently that it is able to meet the iodine concentrations specified in these Regulations with alternative packing approved by the Committee.

(6) Bags that have already been used for packing other articles such as fertilizers, cement, or chemicals must not be reused for packing iodized salt.

(7) Iodized salt must not be exposed to rain, excessive humidity or direct sunlight at any stage of storage, transportation or sale.

(8) Bags of iodized salt must be stored only in covered rooms that have adequate ventilation.

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**SCHEDULE 10***(regulation 19(5))***STANDARD ON FRUIT DRINKS**

## Contents

1. Standard of fruit juices and nectars
2. Standard on fruit drink

**1. Standard on fruit juices and nectars-**(1) This Schedule applies to fruit juice, fruit juice from concentrate, concentrated fruit juice, water extracted fruit juice, fruit puree for use in fruit juices and nectars, concentrated fruit puree for use in fruit juices and nectars, and fruit nectars, defined in Codex Standard 247.

(2) Fruit juice is the unfermented but fermentable liquid obtained from the edible part of sound, appropriately mature and fresh fruit or of fruit maintained in sound condition by suitable means including post-harvest surface treatments applied under the Codex Alimentarius Commission. Some juices may be processed with pips, seeds and peel, which are not usually incorporated in the juice, but some parts or components of pips, seeds and peel, which cannot be removed by Good Manufacturing Practices (GMP) will be acceptable. The juice is prepared by suitable processes, which maintain the essential physical, chemical, organoleptical and nutritional characteristics of the juices of the fruit from which it comes. The juice may be cloudy or clear and may have restored aromatic substances and volatile flavour components, all of which must be obtained by suitable physical means, and all of which must be recovered from the same kind of fruit. Pulp and cells obtained by suitable physical means from the same kind of fruit may be added. A single juice is obtained from one kind of fruit. A mixed juice is obtained by blending two or more juices or juices and purées, from different kinds of fruit.

(3) Fruit juice, fruit juice from concentrate, water extracted fruit juices, fruit purée for use in fruit juices and nectars, concentrated fruit purée for use in fruit juices and nectars, and fruit nectars must be obtained, as are set out in Codex Standard 247.

(4) The species used in the preparation of fruit juices, fruit juice from concentrate, fruit purées and fruit nectars bearing the product name for the applicable fruit, are set out in Codex Standard 247.

(5) The Brix levels of fruit juice, fruit juice from concentrate, water extracted fruit juice and fruit nectars bearing the product name for the applicable fruit, are set out in Codex Standard 247.

(6) Except as otherwise provided, the following are subject to ingredient labelling requirements:

- (a) sugars with less than 2% moisture may be added to all products defined in subclause (1). If these sugars are added the product name must include the statement "sugar(s) added" after the fruit juice or mixed fruit juice's name;
  - (b) syrups such as liquid sucrose, invert sugar solution, glucose and high fructose syrup may be added only to fruit juice from concentrate, concentrated fruit juices, concentrated fruit purée, and fruit nectars. If these syrups are added, the product name must include the statement "sugar(s) added" after the fruit juice or mixed fruit juice's name;
  - (c) honey or sugars (or both) derived from fruits may be added only to fruit nectars;
  - (d) lemon juice or lime juice, or both, may be added to fruit juice up to 3 g/L acid equivalent for acidification purposes to unsweetened juices;
  - (e) lemon juice or lime juice, or both, may be added up to 5 g/L, anhydrous citric acid equivalent to fruit nectars;
  - (f) the addition of both sugars and acidifying agents to the same fruit juice is prohibited;
  - (g) mandarin or tangerine juice may be added to orange juice in an amount not to exceed 10% of the total of soluble solids of the orange juice;
  - (h) salt and spices and aromatic herbs (and their natural extracts) may be added to tomato juice;
  - (i) for the purposes of product fortification, essential nutrients (e.g. vitamins, minerals) may be added subject to any other requirements expressed in these Regulations.
- (7) Fruit juices and nectars must have the characteristic colour, aroma and flavour of juice made from the same kind of fruit from which it is made.
- (8) In addition to the general requirements on labelling, the following provisions apply:
- (a) the name of the product must be the name of the fruit used as defined in Codex standard 247. The fruit name must be filled in the blank of the product name mentioned under this section. These names may only be used if the product conforms to the definition in Codex Standard 247 -
    - (i) for fruit juice, the name of the product must be "...juice" or "juice of...";
    - (ii) for concentrated fruit juice, the name of the product must be "concentrated juice" or "juice concentrate";
    - (iii) for water extracted fruit juice, the name of the product must be "water extracted" juice or "water extracted juice of...";
    - (iv) for purée, the name of the product must be "...purée" or "purée of...";

- (v) for concentrated purée, the name of the product must be "... concentrated purée" or "purée concentrated ...";
- (vi) for fruit nectars, the name of the product must be "...nectar" or "nectar of...";
- (b) for fruit juice products manufactured from two (2) or more fruits, the product name must include the names of the fruit juices comprising the mixture in descending order of proportion by weight (m/m) or the words "fruit juice blend", "a fruit juice mixture", "mixed fruit juice" or "fruit cocktail or other similar wording";
- (c) for fruit juices, fruit nectars and mixed fruit juice/nectar, if the product contains or is prepared from concentrated juice and water or the product is prepared from juice from concentrate and directly expressed juice or nectar, the words "from concentrate" or "reconstituted" must be entered in conjunction with or close to the product name, standing out well from any background, in clearly visible characters, not less than ½ the height of the letters in the name of the juice;
- (d) for fruit juices, fruit nectars, fruit puree and mixed fruit juices nectars purees, if the product is prepared by physically removing water from the fruit juice in an amount sufficient to increase the Brix level to a value at least 50% greater than the Brix value for reconstituted juice from the same fruit, it must be labelled "concentrated";
- (e) when food additive sweeteners are employed as substitutes for sugars in fruit nectars and mixed fruit nectars, the statement, "with sweetener(s)," must be included in conjunction with or in close proximity to the product name and an nutrient content claims related to the reduction in sugars must conform to the General Guidelines on Claims;
- (f) an ingredient declaration of "ascorbic acid" when used as an antioxidant does not, by itself, constitute a "Vitamin C" claim;
- (g) if essential nutrients have been added to the product and must be labelled as "Fortified" or "Enriched" and must identify the ingredient added for fortification purposes and must specify the concentration in which it is present in the final product;
- (h) a pictorial representation of fruit(s) on the label must not mislead the consumer with respect to the type of fruit product it is;
- (i) it is not permitted to label a product as fruit "juice" when it does not comply with the compositional requirements of this Schedule;

- (j) it is not permitted to label a product as fruit "cocktail" if it does not contain a blend of two or more fruits;
- (k) if the product contains added carbon dioxide the term "carbonated" or "sparkling" must appear on the label near the name of the product;
- (l) if tomato juice contains spices or aromatic herbs or both under subclause (6)(h), the term "spiced" or the common name of the aromatic herbs or both must appear on the label near the name of the juice;
- (m) the term "fresh" must not appear on a label unless the product has been freshly obtained from a fruit. Manufactured product is not "fresh".

**2. Standard on fruit drink-**(1) "Fruit drink" is a water-based product that does not comply with the requirements for it to be labelled a "fruit juice" but which:

- (a) contains a minimum of 35mL/L passionfruit juice in the case of passionfruit drink or otherwise a minimum of 50mL/L juice; and
- (b) is prepared from one or more of the following -
  - (i) fruit juice;
  - (ii) fruit purée;
  - (iii) concentrated fruit juice;
  - (iv) concentrated fruit puree;
  - (v) comminuted fruit;
  - (vi) orange peel extract;
  - (vii) water;
  - (viii) mineralised water; and
  - (ix) sugars.

(2) No fruit drink may be offered for sale, labelled, advertised, or presented in such a way as to state, suggest, or be reasonably taken to imply that, the product is a "juice".

(3) No drink may be offered for sale, labelled, advertised, or presented in such a way as to state, suggest, or be reasonably taken to imply that, the product contains either:

- (a) fruit; or
- (b) fruit juice; or
- (c) fruit purée; or
- (d) concentrated fruit juice; or
- (e) concentrated fruit puree; or
- (f) comminuted fruit; or
- (g) fruit peel extract,

when the product does not comply with the requirements of either a "fruit drink" or a "fruit juice".

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**SCHEDULE 11**

*(regulations 2, 52, 53 and 54)*

**HIGH RISK FOOD AND FOOD OF REGULATORY INTEREST****PART 1 – LIST OF HIGH RISK FOOD**

*(Details to be inserted)*

**PART 2 – LIST OF FOOD OF REGULATORY INTEREST**

*(Details to be inserted)*

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**SCHEDULE 12**

*(regulation 71(a))*

**STANDARDS ON FRUIT AND VEGETABLES**

**1. Standards on fruit and vegetables-**(1) This Schedule applies to all fruit and vegetables in a state for human consumption.

(2) Fruit and vegetables must be:

- (a) sound and free of any fermenting, rotting or deterioration such as to make it unfit for consumption;
- (b) clean, practically free of any visible foreign matter;
- (c) practically free of damage caused by pests;
- (d) practically free of pests affecting the general appearance of the produce;
- (e) free of any foreign smell or taste;
- (f) free of damage caused by low or high temperatures;
- (g) free of internal browning; and
- (h) free of fungal damage.

(3) The use of packaging materials, particularly of paper or stamps bearing trade specifications is allowed, provided the printing or labelling has been done with non-toxic ink or glue.

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**SCHEDULE 13***(regulation 71(b))***STANDARD ON NONI JUICE**

**1. Standard on Noni Juice-**(1) This Schedule applies to the juice extracted from the fruit of the plant *Morinda citrifolia*, commonly known as Great Morinda, Indian mulberry, Beach mulberry, and Tahitian Noni. The juice is commonly referred to as Noni (from Hawaiian), Nono (in Tahitian) and Nonu (in Tongan).

(2) Noni juice must be prepared and handled in accordance with the general requirements on good hygienic practice for all food businesses in Schedule 5.

(3) In addition to the requirements under subclause (2) the following specific hygienic practices must be applied in noni juice production:

- (a) the fruit raw material for use in noni juice production -
  - (i) must be free of bruising and damage;
  - (ii) must not be green or under-ripe; and
  - (iii) must not be overripe;
- (b) raw material must be inspected upon being received to ensure compliance paragraph (a) and raw material not complying with that paragraph is to be rejected;
- (c) containers and lids must be disinfected and stored such that the container and lid must not become contaminated prior to use or reuse;
- (d) after transferring the fruit to the container for fermentation, the container must be regularly inspected to ensure the process is under control;
- (e) at all times, noni juice processors must be able to trace each product batch back to the specific supplier of the fruit and forward to those they supply;
- (f) filtration equipment must be designed, constructed and maintained in a manner that ensure it can achieve its purpose in processing and must be regularly cleaned and disinfected;
- (g) filtration must be adequate to ensure the removal of pulp, seed and foreign matter;
- (h) heating must be adequate to ensure effective pasteurization and the time and temperature of heating must be recorded for each batch processed;
- (i) equipment used post-pasteurization must be clean and disinfected such that it does not contaminate the product;
- (j) packaging materials, including bottles, must be free of microbial contaminants that indicate faecal contamination (to be tested by adding sterile broth suitable for the growth of

faecal coliforms to bottles and incubating such at temperatures suitable to thermotolerant coliforms for 24 to 48 hours);

- (k) packaging materials, including bottles, must be free of microbial contaminants that can grow in the product under normal conditions of storage (tested by holding the product at 35 degrees C for seven (7) days);
- (l) packaging materials, including bottles, must be stored in a manner that protects them from contamination;
- (m) filling and sealing of packages, including bottles, must be undertaken in such a manner as to not contaminate the final product; and
- (n) the product must be stored and distributed in such a manner that the product reaches the consumer safe and suitable for human consumption.

(4) Where HACCP is applied by a food business processing noni juice, it must be applied pursuant to the Codex guidance on the principles and application of HACCP.

(5) Where HACCP is being applied by a noni juice processor, the operator of a food business must make available all relevant HACCP documentation immediately upon request by an authorised officer undertaking an inspection of the process and premises.

(6) Without limiting these Regulations, noni juice must have the characteristic colour, aroma and flavour of juice from the noni fruit.

(7) Noni juice must comply with those maximum pesticide residue limits established by the Codex Alimentarius.

(8) Noni juice must comply with the chemical contamination limits established in these Regulations or any other subsequent regulations.

(9) Noni juice must be contaminated with less than 10µg anthraquinone/100mL, including, but not limited to, the genotoxic lucidin and rubiadin.

(10) Noni juice must comply with the microbiological criteria in Schedule 2.

(11) Noni juice processors must be required to provide the Director General certificates of analysis, from an internationally accredited laboratory, for those parameters specified in subclauses (7) to (10) for at least 5 batches within 12 months of commencement of these Regulations. Provided those five batches are in compliance with these Regulations and the processor is applying processing practices pursuant to these Regulations subsequent sampling and analysis frequency must be reduced and implemented only as required to ensure a safe and suitable product is reaching consumers.

(12) Only food additives approved in the Codex General Standard for Food Additives may be used in noni juice and only in quantities approved for use by the Codex General Standard for Food Additives.

- (13) In addition to the general requirements on labeling:
- (a) the name of the product must be "noni juice" or "nonu juice" or "nono juice" only when the product complies with subclause (1);
  - (b) for noni juice products manufactured from noni and one or more other fruits, the product name must include the names of the fruit juices comprising the mixture in descending order of proportion by weight (m/m) or the words "noni juice mixed with juice", or other similar wording so as to not be misleading to the consumer;
  - (c) any claims related to noni juice must conform to the requirements of these Regulations on claims;
  - (d) a pictorial representation of the fruit on the label must not mislead the consumer with respect to the fruit so illustrated.
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## **SCHEDULE 14**

*(regulation 71(c))*

### **STANDARD ON INFANT FORMULA**

(1) Without limiting this Schedule and the Codex Standard on infant formula which are to be the basis for Standard of infant formula in Samoa, the following specific product requirements for product labelled as "infant formula" apply:

- (a) infant formula, prepared ready for consumption in accordance with instructions of the manufacturer, must contain -
  - (i) per 100 ml, not less than 60 kcal (250 kJ) and not more than 70 kcal (295 kJ) of energy;
  - (ii) per 100 kcal, 2-3 g protein (calculated using  $N \times 6.25$ ); 4.4-6 g total fat; and 6-14 g total carbohydrates, unless otherwise specified by the Codex Standard on infant formula;
  - (iii) vitamins, minerals, trace elements and other components at levels as specified by the Codex Standard on infant formula; and
  - (iv) product free of lumps and of large coarse particles;
- (b) additional non-essential ingredients may be added pursuant to the Codex Standard on infant formula only so far as they are required to ensure the product is satisfactory as a sole source of nutrients for infants;
- (c) only L-forms of amino acids must be used in infant formula;
- (d) commercially hydrogenated oils and fats must not be used in infant formula;

- (e) the content of trans fatty acids must not be higher than 3% of total fatty acids;
- (f) all ingredients and food additives must be gluten-free;
- (g) the product and its contents must not have been treated by ionizing radiation;
- (h) the product must -
  - (i) be packed in containers which will safeguard the hygienic and other qualities of the food; and
  - (ii) if in liquid form, be packed in hermetically sealed containers in which nitrogen and carbon dioxide may be used as packing media;
- (i) in addition to the general requirements on labelling of pre-packaged food, the following specific provisions apply -
  - (i) the name of the product must be either “Infant Formula” or an alternative appropriate designation indicating the true nature of the product, as may be approved by the Committee;
  - (ii) the sources of protein in the product must be clearly shown on the label;
  - (iii) products containing -
    - (A) not less than 0.5 mg Iron (Fe)/100 kilocalories must be labelled “Infant Formula with added Iron”; and
    - (B) less than 0.5 mg Iron (Fe)/100 kcal must be labelled with a statement to the effect that when the product is given to infants over the age of four (4) months, their total iron requirements must be met from other additional sources;
  - (iv) the declaration of nutrition information must contain information as required by the Codex Standard on infant formula;
  - (v) adequate directions for the appropriate preparation and use of the product, including its storage and disposal after preparation, must -
    - (A) appear on the label; and
    - (B) be accompanied by a warning about the health hazards of inappropriate preparation;
  - (vi) each container must also have additional labelling to ensure the consumer understands that breast milk is best and no label must serve the purpose of discouraging breastfeeding;
  - (vii) the products must be labelled in such a way as to avoid any risk of confusion between infant formula, follow-up formula, and formula for special medical purposes;

- (viii) no commercial product may be marketed or otherwise represented as suitable for satisfying by itself the nutritional requirements of normal healthy infants during the first six (6) months of life.

## SCHEDULE 15

(regulation 71(d))

### STANDARDS ON MEAT AND MEAT PRODUCTS

#### Contents

- |   |   |
|---|---|
| 1. Standard on canned corned beef                 | advertised in such a way as to reference the fat content of the meat or sausage |
| 2. Standard on canned luncheon meat               | 5. Standard on canned meat with other food                                      |
| 3. Standard on sausages                           | 6. Standard on smoked meat  |
| 4. Standard on minced meat or sausages labeled or |   |

**1. Standard on canned corned beef-**(1) Without limiting this Schedule and the Codex Standard on canned corned beef, the following specific product requirements for product labelled as canned corned beef apply:

- (a) total protein content in the final product must not be less than 21% of the total mass;
- (b) the total fat content must not exceed 21% of the total mass;
- (c) date of minimum durability must be indicated by the year; and
- (d) all meat used in the manufacture of corned beef must have been subjected to the inspection processes and it must have been passed by a food safety officer as fit for human consumption.

(2) Wherever canned corned beef with a fat content exceeding 20% of the total mass is stored for display for sale to the consumer there must be an associated shelf notice visible to consumers informing consumers that: *“This brand of canned corned beef is high in fat. For a healthy diet eat less”*.

**2. Standard on canned luncheon meat-**(1) Without limiting this Schedule and the Codex Standard on luncheon meat, the following specific product requirements for product labelled as canned *“luncheon meat”* must apply:

- (a) the maximum percentage of fat content permitted in a product must be 30% of the total mass;

- (b) in the final product, the meat and poultry must be uniformly and thoroughly cured and the product must be capable of being sliced;
  - (c) all meat and poultry meat used in the manufacture of luncheon meat must have been subjected to the inspection processes and it must have been passed by a food safety officer as fit for human consumption; and
  - (d) raw or semi-processed meat and poultry meat, and luncheon meat must be handled, stored or transported in an establishment in a manner that will protect the meat, poultry meat and the luncheon meat from contamination and deterioration.
- (2) For shelf-stable products the date of minimum durability must be declared by the year.
- (3) For products which are not shelf-stable i.e. which may be expected not to keep for at least 18 months in normal conditions of storage and sale, the date of minimum durability must be declared by date, month and year.
- (4) Wherever canned luncheon meat with a fat content exceeding 20% of the total mass is stored for display for sale to the consumer there must be an associated shelf notice visible to consumers informing consumers that: *“This brand of canned luncheon meat is high in fat. For a healthy diet eat less”*.

**3. Standard on sausages-**(1) In this Schedule, “sausage” means meat that is minced, or comminuted meat or a combination thereof, which may be combined with other foods, encased or formed into discrete units, but does not include meat formed or joined into the semblance of cuts of meat.

(2) Sausages:

- (a) must contain more than 500g/Kg of fat free meat flesh; and
- (b) the proportion of fat in sausage must be no more than 400g/Kg of the fat free meat flesh content.

**4. Standard on minced meat or sausages labelled or advertised in such a way as to reference the fat content of the meat or sausage** - If express or implied reference is made in relation to the fat content of minced meat or sausage, the maximum proportion of fat in the minced meat or sausage, expressed in g/100g, must be:

- (a) declared on the label on package of the food; or
- (b) where the food is not packaged, and is stored for display for sale to consumers, declared on an associated shelf notice visible to consumers.

**5. Standard on canned meat with other food-**(1) Canned meat with other food must be the meat product prepared from meat, manufactured meat or smoked meat with other food, packed in clean containers that are hermetically sealed and processed by heat to ensure preservation. If the meat

is named first in the description or named on the container, the product must contain not less than 45% of meat of the kind so named.

(2) There must be written in the label on a package containing canned meat with food the words “*meat with (state the name of the other food)*” or any other word or words having the same or a similar effect.

(3) For shelf stable products the date of minimum durability must be declared by the year.

(4) For products which are shelf-stable i.e. which may be expected not to keep for at least 18 months in normal conditions of storage and sale, the date of minimum durability must be declared by date, month and year.

(5) Wherever food in this category, with a fat content exceeding 20% of the total mass, is stored for display for sale to the consumer there must be an associated shelf notice visible to consumers informing consumers that: “*This brand of canned “meat with (state the name of the other food)” is high in fat. For a healthy diet eat less*”.

**6. Standard on smoked meat-**(1) Smoked meat must be the meat product obtained by subjecting meat or manufactured meat to smoke.

(2) In this clause, “smoke” means:

(a) wood (including sawdust) or woody plants in the natural state by combustion or friction, excluding wood or plants which have been impregnated, coloured, gummed or painted or treated in a similar manner; or

(b) derivatives obtained by condensation or absorption of smoke in a suitable food grade liquid. A dip which will impart a smoky flavour to meat products can be prepared by diluting an appropriate quantity in potable water.

(3) The raw material used for the generation of smoke must be free from extraneous material such as plastic.

(4) Only meat which are suitable for sale as fresh or frozen meat must be used for processing into smoked meat.

(5) Smoked meat must undergo a smoking process in accordance with good manufacturing practices:

(a) so as to minimize the risk of subsequent growth of microbial pathogens such as, but not limited to, *clostridium botulinum*; and

(b) so as to avoid chemical contamination of the meat product in a manner that could potentially harm human health.

(6) Processing plants engaged in the smoking of meat must be equipped with either traditional or mechanical smoking kilns designed and constructed to ensure safe and efficient operation and to facilitate easy cleaning and:

(a) the inner surface of the kiln must preferably be finished smoothly with a lining such as stainless steel or other suitable material to facilitate cleaning of the walls with steam and hot water;

- (b) be equipped with a high temperature alarm device;
  - (c) equipment used for hanging or laying out of meat during smoking must be constructed of suitable corrosion-resistant material and designed so as to be readily cleanable;
  - (d) trolleys, racks and other equipment which do not come in direct contact with meat, must be constructed to permit easy and thorough cleaning.
- (7) A regular programme of cleaning to achieve the removal of tarry deposits on walls, ceilings, fans, racks, trolleys, and other surfaces must be applied for hygienic reasons but also to reduce the risk of fire.
- (8) Where smoke production makes use of wood, wood shavings or sawdust, these materials must be dry and free from soil dust and harmful substances such as wood preservatives and paint.
- (9) If liquid smoke or smoke powder is used, approval must be obtained from the Committee for its use.
- (10) To obtain even smoking and dehydration of the meat in the same batch, the meat must be reasonably uniform size and weight.
- (11) During hot smoking, the internal temperature of the meat must reach:
- (a) at least 65°C for at least 30 minutes where the water phase salt concentration is at least 5% as measured in the thickest segment of the muscle; and
  - (b) at least 82°C for at least 30 minutes where the water phase salt concentration is between 3.5% and 5%.
- (12) When smoking is finished, the meat must be cooled rapidly and thoroughly before it is packaged, to prevent the growth of micro-organisms harmful to humans.
- (13) Appropriate date marking and instructions on storage conditions must be provided on packaged smoked meat, including both frozen and chilled product, in a manner clearly visible to the consumer.
- (14) Frozen smoked meat must be thawed using a time-temperature scheme that prevents the outgrowth of *clostridium botulinum*.
- (15) Smoked meat may contain formaldehyde incidentally absorbed in the processing in a proportion not exceeding 5 mg/Kg.
-

**SCHEDULE 16***(regulation 71(e))***STANDARD FOR SUGARS**

CODEX STAN 212-1999

**1. SCOPE AND DESCRIPTION**

This Standard applies to the following sugars intended for human consumption without further processing (synonyms are in round brackets). It includes sugars sold directly to the final consumer and sugars used as ingredients in foodstuffs. The description of each of the sugars is also given below:

NAME	DESCRIPTION
White sugar	Purified and crystallised sucrose (saccharose) with a polarization not less than 99.7°Z.
Plantation or mill white sugar (or any other equivalent name accepted in the country of origin)	Purified and crystallised sucrose (saccharose) with a polarization not less than 99.5°Z.
Powdered sugar (icing sugar)	Finely pulverized white sugar with or without the addition of an anticaking agent
Soft White Sugar	Fine grain purified moist sugar, white in colour with asucrose plus invert sugar content of not less than 97.0% m/m.
Soft brown sugar	Fine grain purified moist sugar, light to dark brown in colour with a sucrose plus invert sugar content of not less than 88.0% m/m.
Dextrose anhydrous	Purified and crystallised D-glucose without water of crystallization, with a D-glucose content of not less than 99.5% m/m on a dry basis and a total solids content of not less than 98.0% m/m.
Dextrose monohydrate	Purified and crystallised D-glucose containing one molecule of water of crystallization, with a D-glucose content of not less than 99.5% m/m on a dry basis and a total solids content of not less than 90.0% m/m.

Powdered dextrose (icing dextrose)	Finely pulverized dextrose anhydrous or dextrose monohydrate or mixtures thereof, with or without the addition of an anticaking agent.
Glucose syrup	A purified concentrated aqueous solution of nutritive saccharides obtained from starch and/or inulin. Glucose syrup has a dextrose equivalent content of not less than 20.0% m/m (expressed as D-glucose on a dry basis), and a total solids content of not less than 70.0% m/m.
Dried glucose syrup	Glucose syrup from which the water has been partially removed to give a total solids content of not less than 93.0% m/m.
Lactose	A natural constituent of milk normally obtained from whey with an anhydrous lactose content of not less than 99.0% m/m on a dry basis. It may be anhydrous or contain one molecule of water of crystallization or be a mixture of both forms.
Fructose (laevulose)	Purified and crystallised D-fructose with a fructose content of not less than 98.0% m/m, and a glucose content of not more than 0.5 m/m.
Raw cane sugar	Partially purified sucrose, which is crystallised from partially purified cane juice, without further purification, but which does not preclude centrifugation or drying, and which is characterized by sucrose crystals covered with a film of cane molasses.

## 2. FOOD ACTIVITIES

Only those food additives listed below may be present. Wherever possible levels should be as low as technologically achievable.

### 2.1 SULPHUR DIOXIDE

The maximum permitted sulphur dioxide levels in the final product are set out below.

Sugar	Maximum permitted level (mg/kg)
White sugar	15
Powdered sugar	15
Dextrose anhydrous	15
Dextrose monohydrate	15
Powdered dextrose	15
Fructose	15
Soft white sugar	20
Soft brown sugar	20
Glucose syrup	20
Dried glucose syrup	20
Dried glucose syrup used to manufacture sugar confectionary	150
Glucose syrup used to manufacture sugar confectionary	400
Lactose	None
Plantation or mill white sugar	70
Raw cane sugar	20

## 2.2 ANTICAKING AGENTS

The following anticaking agents are permitted for use in powdered sugar and powdered dextrose to a maximum level of 1.5% m/m singly or in combination, provided that starch is not present:

- Calcium phosphate, tribasic
- Magnesium carbonate
- Silicon dioxide, amorphous (dehydrated silica gel)
- Calcium silicate
- Magnesium trisilicate
- Sodium aluminosilicate
- Calcium aluminosilicate

Powdered sugar and powdered dextrose may have up to 5% starch added if no anticaking agent is used.

## 3 CONTAMINANTS

### 3.1 HEAVY METALS

#### 3.1.1 *Raw cane sugar*

Raw cane sugar shall be free from heavy metals in amounts which may represent a hazard to human health.

#### 3.1.2 *Other Sugars*

The products covered by this Standard shall comply with those maximum residue limits established by the Codex Alimentarius Commission.

### **3.2 PESTICIDE RESIDUES**

The products covered by this standard shall comply with those maximum residue limits established by the Codex Alimentarius Commission for these commodities.

### **4. HYGIENE**

It is recommended that the products covered by the provisions of this standard be prepared and handled in accordance with the appropriate sections of the Recommended International Code of Practice – General Principles of Food Hygiene recommended by the Codex Alimentarius Commission (CAC/RCP 1-1969), and other relevant Codes of Hygienic Practice and Codes of Practice.

The products should comply with any microbiological criteria established in accordance with the Principles for the Establishment and Application of Microbiological Criteria for Foods (CAC/GL 21-1997).

### **5. LABELLING**

In addition to the provisions of the General Standard for the Labelling of Pre-packaged Foods (CODEX STAN-1985), the following specific provisions apply:

#### **5.1 THE NAME OF THE FOOD**

All products covered by this Standard must conform to the description given for that product in Section 1 of the Standard.

In addition, the following specific provision applied to powdered dextrose (icing dextrose) – the name shall be accompanied by a reference to dextrose anhydrous or dextrose monohydrate or both as appropriate.

Where the glucose syrup contains fructose above 5% it shall bear a description to reflect this.

#### **5.2 LIST OF INGREDIENTS**

The presence of starch and the maximum amount present shall be declared on the label or containers of powdered sugar or powdered dextrose.

### **6. METHODS OF ANALYSIS AND SAMPLING**

See relevant Codex texts on methods of analysis and sampling.  
This text is intended for voluntary application by governments.

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## ANNEX

## I. ADDITIONAL COMPOSITION AND QUALITY FACTORS

The composition and quality factors for the sugars covered by the Standard are set out in Table 1.

## II. ADDITIONAL METHODS OF ANALYSIS

See relevant Codex texts on methods of analysis and sampling.

Table 1: Additional Composition and Quality Factors

Composition and quality factors	White sugar	PMWS	Soft brown sugars	Soft white sugars	Powdered sugar (icing sugar)	Dextrose anhydrous	Dextrose monohydrate	Powdered dextrose	Glucose syrup	Dried glucose syrup	Fructose	Lactose
Sulphated ash (% m/m)	N/A	N/A	≤3.5	N/A	N/A	≤0.25-on a dry basis	≤0.25-on a dry basis	≤0.25-on a dry basis	≤1.0-on a dry basis	≤1.0-on a dry basis	N/A	≤0.3-on a dry basis
Conductivity ash (% m/m)	≤0.04	≤0.1	N/A	≤0.2	≤0.04	N/A	N/A	N/A	N/A	N/A	≤0.1	N/A
Invert sugar content (% m/m)	≤0.04	≤0.1	≤12.0	0.3-12.0	≤0.04	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Sucrose plus invert sugar content (% m/m expressed as sucrose)	N/A	N/A	≥88.0	≥97.0	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Loss on drying (% m/m)	≤0.1 <sup>a</sup>	≤0.1 <sup>a</sup>	≤4.5	≤3.0	≤0.1 <sup>a</sup>	N/A	N/A	N/A	N/A	N/A	≤0.5	≤6.0
Starch content (% m/m)	N/A	N/A	N/A	N/A	≤5.0	N/A	N/A	≤5.0	N/A	N/A	N/A	N/A
Colour (ICUMSA units)	≤60	≤150	N/A	≤60	≤60	N/A	N/A	N/A	N/A	N/A	≤30	N/A
pH (for 10% m/m)	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	4.5-7.0	4.5-7.0

N/A - not applicable

<sup>a</sup> does not apply to white sugar in lump or cube form or to crystal candy sugar (crystal licorizato) or to rock sugar (licorizato), or to powdered sugar (icing sugar) to which starch has been added

PMWS - Plantation or mill white sugar

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