

DEPARTMENT OF HEALTH

No. R. 764
24 August 2007

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972

REGULATIONS RELATING TO HEALTH MESSAGES ON CONTAINER LABELS OF ALCOHOLIC BEVERAGES

The Minister of Health has, in terms of section 15 of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these regulations, "the Act" means the Foodstuffs, Cosmetics and Disinfectants Act, 1992 (Act No. 54 of 1972), and any word or expression to which a meaning has been assigned in that Act, shall have that meaning and, unless the context indicates otherwise:

"alcoholic beverage" means a liquor product as defined in section 1 of the Liquor Products Act, 1989 (Act No. 60 of 1989) and includes beer and traditional African beer as defined in section 1 and Schedule 1 respectively, of the Liquor Act, 2003 (Act No. 59 of 2003).

Health messages on container labels

2. (1) Container labels for alcoholic beverages must contain at least one of the health messages set out in the annexure to these regulations.

(2) A health message referred to in subregulation (1) shall-

- (i) be visible, legible and indelible and the legibility thereof shall not be affected by any other matter, printed or otherwise;
- (ii) be on a space specifically devoted for it which must be at least one eighth of the total size of the container label; and
- (iii) be in black on a white background.

Language

3. A health message shall be in any of the South African official languages but must be in the same language as that of the container label.

Prohibited statements

4. The following information or declarations shall not appear on any container label of an alcoholic beverage:

- (a) Words, pictorial representations, descriptions which may create the impression that such an alcoholic beverage has been manufactured in accordance with recommendations made by-
 - (i) a health professional registered in terms of any law;
 - (ii) any health organization, association or foundation;
- (b) the words "health", "healthy", "heal", "cure", "restorative" or other words or symbols claiming that the alcoholic beverage has health giving, medicinal, therapeutic or prophylactic properties as part of the name or description of the alcoholic beverage; or
- (c) the words: Subject to the provisions of the Medicines and Related Substances Act, 1965 (Act no. 101 of 1965) or similar wording that makes reference to the said Act.

Offences and Penalties

5. Any person who contravenes the provisions of these regulations shall be guilty of an offence and upon conviction be liable to a fine or to imprisonment for a period not exceeding five years or to both such fine and imprisonment.

Commencement of regulations

6. These regulations come into operation on 24 February 2009, and shall only apply to all alcoholic beverages labeled from this date. [This regulation amended on 14 November 2008.]

(Signed)
ME TSHABALALA-MSIMANG
MINISTER OF HEALTH

ANNEXURE A - HEALTH MESSAGES

1. Alcohol reduces driving ability, don't drink and drive.
2. Don't drink and walk on the road, you may be killed.
3. Alcohol increases your risk to personal injuries.
4. Alcohol is a major cause of violence and crime.
5. Alcohol abuse is dangerous to your health.
6. Alcohol is addictive.
7. Drinking during pregnancy can be harmful to your unborn baby.