A REGULATORY FRAMEWORK FOR THE INFORMAL FOOD SECTOR
Objectives of the module

By the end of the module, participants should be able to

(a) Define food control
(b) Describe the objectives of food control
(c) Describe the major features of a food control system
(d) Describe the mode of operation of a food control system
3.1 INTRODUCTION
Food control includes all activities to ensure quality, safety and honest presentation of food. It must also protect the health and nutritional status of the population and combat fraudulent trade practices (Food and Agriculture Organization, 1991). All countries need adequate food control programmes to ensure that national food supplies are safe and of good quality.

3.2 OBJECTIVES OF FOOD CONTROL

Food control is essential for the success of economic and social programmes, as it

- Encourages the production and handling of foods under hygienic conditions.
- Ensures supplies of safe and wholesome food, at affordable prices.
- Enhances the potential for international trade.
- Protects the country against losses due to ‘dumping’ of inferior or unfit foods.
- Improves the nutritional status and health of the population.
- Encourages the orderly development of food industries.

(Food and Agriculture Organization/ World Health Organization, 1976)

3.2 ELEMENTS OF AN EFFECTIVE FOOD CONTROL SYSTEM

An effective food control system is based on the following:

1. Legislation
2. Administration
3. Enforcement
4. Analytical services.
Figure 1 summarises the elements of an effective food control system.
These five components function in closed loop network to contribute the national food control mechanism to achieve defined objectives.

3.3 MAJOR FEATURES OF THE ELEMENTS OF THE FOOD CONTROL SYSTEM

3.3.1 Food law and regulations
An effective food control system needs an adequate food law governing the production, handling and marketing of foods; and designed to protect consumers against health hazards and fraudulent trade practices. The law should be applied to suit the individual needs and resources of a country and should be sufficiently flexible to meet the needs arising from the rapid change in technology in the food sector. It is made up of a primary legislation and a secondary legislation (Figure 2). The legislation should enable the setting up of an advisory committee or board with the adequate representation of consumer/industry interests, governmental interests, independent scientists, and other experts in the field. There is thus an increased likelihood of success in effectively integrating the interests of all stakeholders in the food control
In general all nations throughout the world present food laws in two parts that are commonly referred to as:

- A basic Food Act
- Food Regulations

**The Food Act**
It sets out broad principles and is the body of food law in a country that governs the food production, handling, storage, distribution, quality and trade.
Food Regulations

In most legal systems, the food law or act contains a provision or provisions listing the many subject matters that the Minister may address through regulations in order to carry out the purposes of the law. The main advantage of the regulations is that they can be easily changed. The list of regulations may be extremely detailed or it may simply give broad outlines to the kinds of topics that the Minister may address. In either case, the Minister’s powers are rarely limited, as in almost all cases; the food law still contain a general statement that the Minister may “make all regulations he or she desires necessary to achieve the purpose of the law”.

The topics that may be addressed by regulations made by the executive authority under the basic law may be very broad. Generally they fall into four categories:

1 Regulations affecting food products in general

Usually the purpose of this category of regulations is to establish general rules regulating the contents, handling, packaging and labelling of food products. These kinds of regulations are of particular importance in countries that do not include in the basic law rules governing the manufacture, processing and sale of food but leave it to the Minister to introduce detailed regulations. But whether or not general principles are laid down in the basic law in one way or another a government authority must be entrusted with their implementation at the technical level.

2 Regulations affecting specific food products

In many countries the provision peculiar to each food may constitute specific and distinct regulations (e.g. novel foods, baby foods, special dietetic foods, etc). The practice has developed in some other countries, however, of grouping such provisions, under different headings, into a comprehensive
set of regulations governing food. Here, the legislative traditions may vary appreciably from one country one another.

3 Regulations for organizational or coordinating purposes

Although the main body of regulations putting into effect the food law will fall into the above two categories, there are great number of internal regulations or ‘house’ rules that are of no direct concern to the public but which are required for the efficient operation of administrative units created or empowered under the law. For example, regulations may address the functioning of the Food Control Agency, if any, the issuance, suspension and revocation of licenses of various kinds, the conduct of the inspection and analysis services; and so on.

4 Schedules

Many countries include detailed schedules among the subsidiary legislation to the basic food law. These will contain, for example, list of inspection and sampling analysis fees, models for application forms or certificates used under the law, and other detailed matters such as chemical microbiological and materialized standards.

3.4 FOOD CONTROL MANAGEMENT

Effective food control systems require policy and operational coordination at the national level. While the detail of such functions will be determined by the national legislation, they would include the establishment of a leadership function and administrative structures with clearly defined accountability for issues such as:

- developing and implementation of an integrated national food control strategy
- operating a national food control programme;
- securing funds and allocating resources;
- setting standards and regulations;
- participating in international food control related activities;
- developing emergency response procedures;
- carrying out risk analysis etc

Core responsibilities include the establishment of regulatory measures, monitoring system performance, facilitating continuous improvement, and providing overall policy guidance.

SADC member states must ensure that well defined and established national policies on food safety exist within their territories, together with national food safety programmes and food safety strategies to face the challenges of globalisation of trade in food and if they are to promote sustainability in food trade at national, regional and international levels,

3.5 INSPECTION SERVICES

The administrative and implementation of food laws require a qualified, efficient and honest food inspection service. The food / health inspector or environmental health officer is the key functioning who has day-to-day contact with the food industry, trade and public. The reputation and integrity of the food control system depends, to a very large extent, on their integrity and skill. Thus proper training of food/health inspection staff is a prerequisite for an efficient food control system. As current food systems are quite complex, the inspectorial staff must be trained in food service and technology to understand the industrial processes, identify potential safety and quality problems and have the skill and experience to inspect the premises, collect food samples and carry out an overall evaluation. The inspector must have a good understanding of the relevant food laws and regulations, their powers under those laws, and the obligations such laws impose on the food sector.
They should also be conversant with procedures for collecting evidence, writing inspection reports, collecting samples and sending them to a laboratory for analysis. With gradual introduction of HACCP systems in the food industry, the inspector should be trained to handle HACCP audit responsibilities.

Clearly, there is a continuing need for training and upgrading the skills of existing inspectorial staff and have a policy for human resource development, especially the development of inspectorial specialists in specific technical areas. It is in the interest of all SADC member states to address the training needs of their human resources adequately in order to promote an efficient food control system and inspection service. Latest challenges in the food safety and trade both with in national and international context urgently spells for the need of SADC members to embark on degree / professional training programmes for their inspectorial staff.

3.6 LABORATORY SERVICES

Laboratories are an essential component of a food control system. The establishment of laboratories requires considerable capital investment and they are expensive to maintain and operate. Laboratories should have adequate facilities to conduct:

- Physical
- Chemical
- Microbiological
- Toxicological (i.e. Bacterial, mycological, plant or animal toxins) and
- Radiological and
- Biochemical Analyses.
Recent food safety hazards spell for the need of laboratories to address such issues as testing of hormonal products, antibiotics, pesticides residues and enzymes in food and genetically modified derived foods.

In addition to simple routine analysis, the laboratories can be equipped with more sophisticated instruments, apparatus and library facilities as required. It is not only the type of equipment that determines the accuracy and reliability of analytical results but also the qualification and skill of the analyst and the reliability of the method used.

Analytical results of a food control laboratory are often used as evidence in a court of law to determine with regulations and/or standards of the country. It is therefore necessary that utmost care be taken to ensure the efficient and effective performance of the laboratory. The introduction of analytical quality assurance programme and accreditation of the laboratory by an appropriate accreditation agency within the country or from outside, enables the laboratory to improve its performance and to ensure reliability, accuracy and repeatability of results. Prescription of official methods of sampling and analysis also support this effort.

An important element of a national food control system is its integration in a national food safety system so that links between food contamination and foodborne illnesses can be established and analysed. Access to reliable and current intelligence on the incidence of food borne illness is critical. The laboratory facilities for this type of activity are generally situated outside the food control agencies. It is essential, however, that effective linkages are established between food control agencies and the public health system including epidemiologists and microbiologist. In this way information on food borne illness may be linked with food monitoring data and lead to appropriate risk-based food control policies.
This information includes annual incidence trends, identification of susceptible population groups, identification of hazardous foods, identification and tracing of causes of food borne diseases and the development of early warning systems for outbreaks and food contamination.

The SADC organization has a key role in auditing laboratory facilities present in the African member states, and communicating same to all members, which can benefit from the facilities and competencies present within the region.

3.7. INFORMATION, EDUCATION, COMMUNICATION AND TRAINING

An increasingly important role for food control systems is the delivery of information, education and advice to stakeholders across the farm-to-table continuum. These activities include:

- the provision of balanced factual information to consumers;
- the provision of information packages and educational programmes for key officials and workers in the food industry;
- the development of train-the-trainer programme, and
- the provision of reference literature to extension workers in the agriculture and health sectors.

Food control agencies should address the specific training needs of their food inspectors and laboratory analysis as a high priority. These activities provide an important means of building food control expertise and skills in all interested parties, and thereby serve an essential preventive function.

The SADC organization must strive to establish food safety/ hygiene information, education, communication and training counters within member states and can also promote regional cooperation in the field.
Commitment factor of shared responsibility

Consumer protection and prevention of food borne disease are two essential components of a food safety programme and targets of a national food control system. Today it is globally agreed that the achievement of these targets can only be ensured if these targets are being viewed as the shared responsibilities of national governments, the food industry and consumers. Acceptance of this shared responsibility to achieve safe food for all has caused to the WHO to promote a model, of National Commitment to Food Safety, which is illustrated in Figure 3.
Figure 3: Shared responsibility: Safe food for all
REFERENCES