

GHANA STANDARDS BOARD (FOOD, DRUGS AND OTHER GOODS) GENERAL LABELLING RULES, 1992

IN exercise of the powers conferred on the Ghana Standards Board by subsection (1) of section 9 of the Standards Decree, 1973 (N.R.C.D. 173) these Rules are made this 29th day of April, 1992.

PART I—FOOD AND DRUGS

1. (1) No person shall offer for sale, sell, distribute, import or otherwise dispose of prepackaged food or drug, unless the food or drug is marked or labelled with— Labelling requirements for food and drugs

- (a) the name of the food or drug;
- (b) a list of ingredients in the food or in respect of drugs, active ingredients, showing the amount of each present in the drug;
- (c) an indication of the minimum durability in the form of—
 - (i) date of manufacture and 'expiry date' or 'best before date' or 'use-by-date' in respect of food; or
 - (ii) date of manufacture and expiry date in respect of drugs,
- (d) any special storage conditions and handling precautions that may be necessary;
- (e) instructions or directions for use or warnings and precautions that may be necessary in respect of a drug;
- (f) instructions for use in respect of food, if it would be difficult to make appropriate use of the food in the absence of such instructions;
- (g) an indication of the net contents in the form of net mass or volume or number of doses in respect of drugs;
- (h) code marks or numbers indicating the batches of production or packaging to which the food or drug belongs;
- (i) country of origin of the food or drug; and
- (j) the name and address of the producer, manufacturer, importer, packer, distributor or of the seller of the food or drug.

2. (1) A name that is required to be used for food under Rule 1 shall be the name prescribed by law for the food, if so prescribed. Particulars relating to name of food and drugs.

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(2) Where no name is prescribed by law for a food, a customary name, that is to say a name which is customary for that food in the area where the food is sold, may be used for the food.

(3) Where there is no name prescribed by law for a food and there is no customary name or the customary name is not used, the name used for the food shall be sufficiently precise to inform a purchaser of the nature and substance of the food and to enable the food to be distinguished from products with which it could be confused.

(4) The name of a food may consist of a name or description or of a name and description.

(5) A trade mark, brand name or fancy name shall not be substituted for the name of a food.

(6) The name of a drug as required by Rule 1 (a) should wherever possible include the international or national non-proprietary name of the drug if it is available.

PART II—GOODS OTHER THAN FOOD AND DRUGS

Labelling
requirements
for goods
other than
food and
drugs.

3. No person shall offer for sale, sell, distribute, import or otherwise dispose of the goods specified in the First Schedule to these Rules unless the goods are marked or labelled with:

- (a) a name which indicates or describes the nature or kind of goods;
- (b) code marks or numbers indicating the batches of production to which the goods belong;
- (c) a date of manufacture and expiry or 'best before date', where applicable;
- (d) an indication of the net content in the form of net mass or volume, where applicable;
- (e) dimensional, mass and volume characteristics where applicable;
- (f) electrotechnical or chemical characteristics where applicable;
- (g) any special storage conditions or handling precautions that may be necessary or conditions of use;
- (h) instructions or directions for use, warnings and precautions that may be necessary, if it would be difficult to make appropriate use of the goods in the absence of such instructions or directions;
- (i) country of origin of the goods; and
- (j) the name and address of the producer, manufacturer, importer, distributor or seller of the goods.





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PART III—GENERAL

4. (1) Marks or labels for food, drugs and the goods specified in the First Schedule shall have the requirements specified in Rules 1 and 3, printed, impressed, embossed, or stamped. Form of marks and labels.

(2) Where marks and labels are stamped, they shall be in indelible ink and be legible.

(3) Marks or labels for food, drugs and goods meant for sale or distribution in Ghana shall have the requirements specified in Rules 1 and 3 in the English language.

5. Where food, drugs or the goods specified in the First Schedule consist of small packages which cannot be conveniently marked or labelled, the outer package enclosing the small packages shall be labelled in accordance with the Rules. Small Packages.

6. (1) Without prejudice to the generality of the foregoing, the Ghana Standards Board may prescribe additional or specific labelling requirements for certain specified goods where it deems necessary. Board to prescribe additional labelling requirements.

(2) Whenever the Board prescribes additional or specific labelling requirements for any goods, notification thereof shall be published in the *Gazette*.

7. (1) The Ghana Standards Board shall in consultation with the Secretary, appoint inspectors for purposes of enforcing the provisions of these Rules. Appointment of Inspectors.

(2) Any person appointed as an Inspector shall be issued with a certificate in the form specified in the Second Schedule to these Rules.

8. An Inspector may at all reasonable times—

- (a) enter any premises or places where he has cause to believe that food, drugs or the goods specified in the First Schedule are being offered for sale, distributed or otherwise disposed of;
 - (b) examine the food, drugs or goods to ascertain whether they conform to the provisions of these Rules;
 - (c) seize the food, drugs or goods which contravene any provision of these rules or which have been labelled in such a way as to be deceptive, misleading or false.
- Power of entry of an Inspector.

9. (1) Any food, drugs, or goods specified in the First Schedule imported into Ghana which are not labelled in the manner provided for under these Rules shall be detained. Improper labels.

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(2) The importer of any goods detained under sub-rule (1) of this Rule shall within twenty-eight days of detention of such goods label the goods in the required manner or re-export the goods.

(3) The re-labelling of imports shall be done under the supervision of an officer authorised for the purpose by the Ghana Standards Board.

(4) An Inspector shall, after the expiration of the period specified in sub-rule (2) of this Rule seize any goods which have not been labelled as required under these Rules or re-exported.

Petition
against
detention or
seizure of
goods.

10. (1) Any person whose goods have been seized or detained may within seven days after the seizure or detention petition to the Secretary for the release of the goods.

(2) The Secretary shall within seven days of receiving the petition either confirm the seizure by stating reasons for it or order the goods to be released to the petitioner.

Forfeiture of
goods.

11. (1) Subject to rule 10, any goods seized shall be liable to forfeiture.

(2) The Ghana Standards Board shall in consultation with the Secretary dispose of any forfeited goods in such manner as it may determine.

Exemption.

12. (1) The Secretary may in consultation with the Ghana Standards Board exempt any food, drugs or goods from the provisions of these Rules.

(2) Without prejudice to sub-rule (1) of this Rule, the following are exempted from the provisions of these Rules:

- (a) personal effects;
- (b) samples of food, drugs or other goods which are not in commercial quantities;
- (c) used articles.

Obstruction.

13. (1) Any person who obstructs an Inspector in the performance of his functions commits an offence and is liable on conviction to a fine not exceeding ₵200,000.00 or to imprisonment for a term not exceeding twelve months or both.

(2) An Inspector who assists any person to contravene any of these Rules commits an offence and shall be liable on conviction to a fine not exceeding ₵200,000.00 or to imprisonment for a term not exceeding twelve months or both.





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14. In these Rules unless the context otherwise requires—

Interpreta-
tion.

“drug” means any substance or mixture of substances prepared, sold or presented for use in—

- (i) the diagnosis, treatment, mitigation or prevention of a disease, disorder or abnormal physical state or the symptoms thereof in man or animal; or
- (ii) restoring, correcting or modifying organic functions in man or animal;

“food” means any article manufactured, sold or presented for use as food or drink for human consumption, chewing gum and water.

“label” includes any tag, brand, mark, pictorial or other descriptive matter, written, printed, embossed or impressed on or attached to the item or inserted in its container.

“pre-packaged” means packaged or made up in advance, ready for retail in a container.

“Secretary” means the P.N.D.C. Secretary responsible for Trade and Tourism.

15. 1. The Ghana Standards Board (Food, Drugs and Other Goods) General Labelling Rules, 1991 (L.I. 1512) are hereby re-
voked. Revocation.

16. These Rules shall be deemed to have come into force on 4th
day of May, 1992. Commence-
ment.

SCHEDULES

FIRST SCHEDULE (RULE 3)

1. Gas cookers and appliances
2. Refrigerators and food freezers
3. Electric fans and regulators
4. Radio receivers/cassette players
5. Television sets
6. Room air-conditioners
7. Electric lamps
8. Electrical fittings and accessories
9. Office equipment (electricals only; i.e. computers, fax machines, typewriters, etc.).

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10. Electric motors
11. General Household electrical appliances and accessories—
 - (i) Immersion electric heaters
 - (ii) Electric pressing irons
 - (iii) Water heaters/electric kettles, etc.
12. Cement for the building industry
13. Electric cables
14. Dry cell batteries
15. Lead-acid starter batteries
16. Paints
17. Pesticides
18. Body creams
19. Soap
20. Hair products
21. Detergents
22. Body powders
23. Toothpaste
24. Poultry feed, including pre-mixes.

SECOND SCHEDULE

INSPECTOR'S CERTIFICATE OF APPOINTMENT

This is to certify that
has been appointed an inspector for the purposes of enforcing the
provisions of the Ghana Standards Board (Food, Drugs and Other
Goods) General Labelling Rules, 1992 (L.I. 1541) and is authorised
to enter any premises or place to inspect and examine any food,
drugs or goods under Rule 8 and to exercise all the powers con-
ferred on inspectors by these Rules.

PHOTOGRAPH

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Photograph and Signature of Inspector

COL. MICHAEL AKOWUAH

Chairman, Board of Directors, Ghana Standards Board

Date of Gazette notification: 11th September, 1992.

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