



SAAFoST

**The South African Association for
Food Science & Technology**

Department of Trade and Industry
Attn Magauta Mphahlele
Consumer and Corporate Regulation Division
Private Bag X4, Pretoria

25th May 2006

Dear Sir / Madam,

Consumer Protection Bill 2006

The South African Association for Food Science and Technology (SAAFoST) is the professional body for food scientists and technologists in South Africa. Our members are drawn from industry, academic institutions and research institutes and many of them carry out duties relating to the regulatory status of foodstuffs in South Africa. We accordingly wish to comment on certain clauses in the draft Consumer Protection Bill in so far as they pertain to foods.

Section 29(1)(a)(i)

We wish to bring to your attention Regulation R 25 dated January 16th 2002: "Regulations governing the labelling of foodstuffs obtained through certain techniques of genetic modification".

These regulations have been formulated by the Department of Health with the objective of providing the consumer with necessary information regarding the presence of genetically modified material in foodstuffs. They were formulated after extensive consultation with all stakeholders and it is our belief that the Department of Health is the appropriate body for the management of regulatory matters relating to labelling of genetically modified material. The wording of Section (1)(a)(i) also implies that genetically modified material represents a hazard to humans, which is simply not true as a vast body of scientific data exists to substantiate the non-hazardous status of all commercially available genetically modified materials. In view of this, the proposed Section 29(1)(a)(i) is unnecessary and we request that it be removed from the draft bill.

Section 29(1)(a)(ii)

We understand the rationale behind this clause and support it in principle. It is our experience however that, notwithstanding the use of the phrase "...relative to their concentration in those goods..." wording of this sort lends itself to confusion and misinterpretation by the public and to abuse by uninformed lobbying bodies with little or no understanding of either toxicology or risk assessment. Large numbers of potentially toxic substances (many of them naturally occurring) are inherently present in all goods and we are concerned that this section contains no details of any mechanism to determine whether or not the presence and concentration of particular substances actually represent a hazard to humans. We would therefore suggest that this clause be reviewed and preferably deleted. We feel that it would be preferable for the presence or otherwise of potentially toxic substances to be managed on a case-by-case basis, with the relevant regulations applicable to individual substances invoked as required.

We trust that these suggestions will be favourably received and will be happy to provide further input on them if required

Yours sincerely

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