

FOOD CONTROL ACT
(Cap. 65:05)

**FOOD CONTROL (FOOD SAFETY ALERTS AND RECALL
PROCEDURES) REGULATIONS, 2018**
(Published on 28th December, 2018)

ARRANGEMENT OF REGULATIONS

REGULATION

PART I — Preliminary

1. Citation
2. Interpretation
3. Application

PART II — Procedures for Food Safety Alerts

4. Objectives of Regulations
5. Triggers of food safety alerts or food recalls
6. Initiation of food safety alert
7. Discontinuation of food safety alert

PART III — Food Recall Procedures

8. Food industry initiated food recall
9. Ministry initiated food recall
10. Food recall classification
11. Food recall plan
12. Food recall communication
13. Food recovery
14. Effectiveness check
15. Food recall status reports
16. Termination of food recall
17. Responsibilities of authorized officers
18. Offences and penalties

IN EXERCISE of the powers conferred on the Minister of Health and Wellness by section 13 of the Food Control Act, the following Regulations are hereby made —

PART I — Preliminary

- | | |
|----------------|---|
| Citation | 1. These Regulations may be cited as the Food Control (Food Safety Alerts and Food Recall Procedures) Regulations, 2018. |
| Interpretation | 2. In these Regulations, unless the context otherwise requires —
“depth of recall” means the extent and the level to which recalled food was distributed;
“downstream food business operator” means anyone who receives or purchases food, from a food business operator, to sell; |

“food business” means any undertaking, whether for profit or not and whether public or private, carrying out any of the activities related to any stage of production, manufacture, processing, packaging, storage, transportation, distribution, importation of food and includes catering services, or sale of food;

“food business operator” means a person who is actively engaged in running of a food business and is responsible for ensuring that the legal requirements relating to the business are met;

“food recall” means action taken to stop or remove food that may pose a health and safety hazard to consumers from being distributed, sold or consumed;

“food safety alert” means a warning to the public by a local authority, any other relevant Government agency, the Ministry responsible for health or by a food industry, voluntarily, with the approval of a local authority, any other relevant Government agency or the Ministry responsible for health that a food product presents a health hazard;

“hazard” means a biological, chemical or physical agent in, or condition of food with the potential to cause an adverse health and safety effect;

“recall plan” means a written set of procedures, practices and actions developed and put in place by a food business operator to recall Food that may pose a health and safety hazard to consumers; and

“recalling food business operator” means a food business operator with the primary responsibility for the manufacture and distribution of the recalled food.

3. These Regulations shall apply to —

Application

- (a) food safety alerts and recalls of food or food products which are hazardous to the health or safety of consumers or contravenes the provisions of the Act; and
- (b) a food business operator engaged in the manufacture, importation, distribution and sale of food.

4. The objectives of these Regulations are to provide guidance on how Regulations to —

Objectives of regulation

- (a) carry out a food recall through an efficient, rapid identification as well as removal of hazardous food from the distribution chain and informing consumers, where necessary, of the presence of potentially hazardous food in the market and ensure that hazardous food are contained and destroyed or rendered safe;
- (b) establish a food recall plan for carrying out food recall where food does not meet the requirements of hygiene, safety and quality of food and to protect the health of consumers; and
- (c) establish a follow-up action or post food recall report in order to ensure the effectiveness of a food recall and prevent a reoccurrence.

PART II — *Procedures for Food Safety Alerts*

5. The following factors may trigger food safety alerts or food recalls —

Triggers of food safety alerts or food recalls

- (a) bacterial contamination;
- (b) chemical contamination;
- (c) communicable disease;
- (d) foreign objects;

- (e) evidence of exposure to radiation;
- (f) misbranding;
- (g) packaging defects;
- (h) consumer complaints;
- (i) new scientific findings;
- (j) supplier or manufacturer's notification;
- (k) tampering threats; or
- (l) any other food trigger as may be prescribed by the Minister on the recommendation of the Board.

Initiation of
food safety
alert

6. (1) The Minister shall, after consultation with the Board, issue a food safety alert, warning consumers about food on the market which have been found to be hazardous to the health or safety of consumers.

(2) For the purpose of subregulation (1), the food safety alert shall be published —

- (a) in the *Gazette*; and
- (b) in at least one issue of a news paper with a wide circulation in Botswana.

(3) If the food is manufactured or already on the market, the food safety alert shall be followed by a food recall initiated by the Minister.

(4) The Minister shall inform, in writing, the food business operator responsible for the production of the food that is the subject of the alert under subregulation (1) to take the appropriate measures to ensure that the food is recalled.

(5) A food business operator who contravenes subregulation (4) shall be guilty of an offence.

Discontinuation
of food safety
alert

7. (1) Where the Minister determines, after consultation with the Board, that it is practical to assume that the hazard posed by the hazardous food has been removed or the food no longer threatens the health and safety of consumers, the Minister shall publish a notice discontinuing the food safety alert.

(2) For the purpose of subregulation (1), the notice discontinuing a food safety alert shall be published —

- (a) in the *Gazette*; and
- (b) in at least one issue of a newspaper with wide circulation in Botswana.

(3) The discontinuation of a food safety alert shall not preclude an authorized officer from conducting surveillance or investigations on the food that is the subject of the food safety alert, or taking further action.

PART III — *Food Recall Procedure*

Food industry
initiated
food recall

8. (1) A food business operator that is engaged in the wholesale initiated supply, manufacture or importation of food that is potentially hazardous or defective, shall immediately notify the Minister and the Board by submitting, by hand delivery, facsimile, electronic mail, or post, a food recall initiation notification to the Minister and the Board as set out in Form A to the Schedule.

(2) Where a business food operator is a street vendor, the owner shall immediately notify the authorized officer from the relevant local authority to take appropriate measures in initiation of the food recall and disposal.

(3) Where a food business operator has notified the Minister and the Board in accordance with subregulation (1), the food business operator shall initiate an industry initiated food recall of the potentially hazardous or defective food from the market within 24 hours of having knowledge of the potentially hazardous or defective food in order to protect public health from food that is hazardous for the consumer or is not in compliance with the provisions of the Act.

(4) The Minister, shall within 48 hours of receiving the notification in subregulation (1), instruct the Board to –

- (a) notify the food business operator of his decision on the food recall in Form B set out in the Schedule; and
- (b) send a copy of the decision to local authorities and relevant Government agencies to notify the public.

(5) A food business operator responsible for putting on the market potentially hazardous or defective food shall immediately stop any further delivery and sale of the food under recall so as to ensure that safety and public health is not compromised.

(6) A food industry initiated food recall may also be initiated as a result of complaints referred to the food business operator from manufacturers, wholesalers, importers, distributors, retailers, consumers, the media, a local authority or any other relevant Government agency.

(7) Where the food business operator does not respond to a consumer complaint, the consumer may report to the Minister or the Board.

(8) The Minister shall, on the recommendation of the Board, decide on the need for a food recall and shall instruct the food business operator accordingly.

(9) A recall of potentially hazardous food manufactured outside Botswana may also be triggered by the food industry and shall be responded to in the same way as provided for in this regulation.

(10) A food business operator who contravenes this regulation shall be guilty of an offence.

9. (1) The Minister may instruct the Board to conduct –

- (a) an investigation, in accordance with the procedures set out in the Inspections and Investigations Conducted on Food Premises Regulations, relating to any food suspected of being hazardous or defective; and
- (b) an investigation on any complaint referred to the Minister in accordance with regulation 8 (8),

and initiate a food recall with regard to food that is manufactured, imported, distributed, sold; or offered for sale, or offered for free to any person or any charitable organisation or institution, by a food business operator.

(2) The Minister shall after initiating a food recall in accordance with subregulation (1), –

- (a) notify the food business operator of the Minister's decision on the need to immediately initiate a food recall of potentially hazardous or defective food on the market; and
- (b) instruct the food operator business to initiate a food recall of the potentially hazardous or defective food; through a food recall instruction in Form C set out in the Schedule.

(3) A food business operator shall, upon receiving a food recall instruction in accordance with subregulation (2) (b), implement the food recall of potentially hazardous or defective food and immediately stop the processing, importation, manufacturing, distribution and any further delivery and sale of the food under the food recall so as to ensure that consumer safety and public health is not compromised.

Ministry
initiated
food recall

(4) Where a food business operator fails to comply with a food recall instruction issued by the Minister under subregulation (2) (b), the Minister shall, after consultation with the Board, recall the potentially hazardous or defective food from the market.

(5) Where the Minister recalls the potentially hazardous or defective food under subregulation (4), the costs incurred by the Minister during the food recall shall be borne by the food business operator.

(6) The Minister shall instruct an authorized officer to send a copy of the food recall instruction referred to in subregulation (2) (b) to a local authority or any other relevant Government agency to notify the public.

(7) The Minister may, on his own initiative or after consultation with the Board, use a food recall initiation instruction as a trigger or a food safety alert under regulation 6.

(8) A food business operator who fails to comply with any direction under this regulation shall be guilty of an offence.

Food recall
classification

10. The Minister shall, on the advice of the Board, evaluate the potential health hazard posed by any food under recall and categorise the food recall as —

(a) Class I food recalls, for potentially hazardous food which is dangerous, defective or adulterated that it could cause serious health problems or even death; or

(b) Class II food recalls, for food that is unlikely to cause any adverse health problems, but that violates the provisions of the Act.

Food recall plan

11. (1) A food business operator shall, —

(a) within 12 months after coming into effect of these Regulations, have a recall plan approved by the authorized officer in his local authority for recalling potentially hazardous or defective food;

(b) propose a food recall plan to the authorized officer in accordance with Form D set out in the Schedule; and

(c) implement all food recalls for potentially hazardous or defective food in accordance with a food recall plan approved by the authorized officer.

(2) An approved food recall plan shall specify the need for a food safety alert or food recall and the media likely to be used for the effective and speedy dissemination of the information.

(3) Where the authorized officer has not yet approved a food recall plan and a food business operator initiates a food industry initiated food recall in accordance with regulation 8, the food business operator shall initiate the food recall in accordance with Form E set out in the Schedule, pending the review of the food recall plan by the authorized officer.

(4) The Minister shall, wherever the urgency of the situation demands and after consultation with the food business operator, issue a food safety alert relating to a food recall, indicating —

(a) the classification of the food to be recalled;

(b) the ease or challenges in identifying the food;

(c) the degree to which the deficiency in the food is obvious to the consumer; and

(d) the degree to which the potentially hazardous or defective food remains in the market.

- (5) Where the food business operator implements a food recall —
 - (a) the cost of alerting the public shall be borne by the food business operator; and
 - (b) a consumer shall be refunded for any food product returned, whether partially consumed or sealed.
- (6) In the case of food recall involving exported food, the Minister shall, on the advice of the Board —
 - (a) be in charge of monitoring the implementation of the food recall plan; and
 - (b) communicate any food recall that involves exported food to the appropriate health authorities or other authorities or agencies dealing with standards of quality in food of the country where the food was exported to.
- (7) A food business operator who contravenes this regulation shall be guilty of an offence.

- 12. (1) Where a food business operator implements a food recall plan — Food recall communication
 - (a) the food business operator shall immediately notify each of its affected downstream food business operator about the food recall; and
 - (b) the format, content and the extent of a food recall communication shall be commensurate with the hazard of the food being recalled and the plan developed for the food recall.
- (2) A food recall communication contemplated in subregulation (1) shall be —
 - (a) through an electronic mail, facsimile, a letter or a combination of the three;
 - (b) conspicuously marked “Food Recall” in bold red type;
 - (c) marked “urgent”; and
 - (d) a telephone communication shall be confirmed by one of the above methods and documented by the food business operator in an appropriate manner.
- (3) A food recall communication shall —
 - (a) be brief and specific;
 - (b) clearly identify —
 - (i) the food,
 - (ii) the size of the food,
 - (iii) the lot or batch number of the food,
 - (iv) the product code or serial number of the food,
 - (v) the production date of the food,
 - (vi) the manufacture’s address,
 - (vii) the country of origin, and
 - (viii) any other pertinent descriptive information to enabled accurate and immediate identification of the food;
 - (c) concisely explain the reason for the recall and potential hazard involved if any;
 - (d) provide specific instructions on what should be done with respect to the recalled food;
 - (e) provide cost-free means, such as toll free numbers, or electronic mail address, for the recipients of the communication to report to the recalling food business operator; and
 - (f) not contain irrelevant qualifications, promotional materials, or any other statement that may detract from the message.

(4) The food business operator shall make appropriate follow-up communication, including telephone calls or visits, to each of its downstream food business operators who fail to respond to initial food recall communication.

(5) An affected downstream food business operator who receives a food recall communication shall —

(a) carry out instructions set forth by the recalling food business operator; and

(b) extend the food recall communication to their own downstream food business operators and consumers with the information in subregulation (3).

(6) The food recall communication referred to in subregulation (5) shall be in Form E set out in the Schedule.

(7) The food business operator shall, with the approval of the Minister and after issuing a food recall communication to its downstream food business operators, inform the public of the food recall at the earliest possible opportunity by way of a press release, letter to concerned parties or advertisements in the media.

(8) The press release, letter or advertisement under subregulation (7) shall be in the form of a food recall notice and shall contain the following information —

(a) the name of the food recalling food business operator;

(b) the name, brand, lot or batch of the food;

(c) the contamination, adulteration, defect, or violation of the food;

(d) a “do not consume” message, if the food is not safe for consumption;

(e) a health warning and remedial action;

(f) the place or outlet where the food is sold;

(g) the action to be taken by the downstream food business operator or consumer; and

(h) a contact number for queries.

(9) A food recall notice shall not contain irrelevant information, promotional material or any statement that may detract from the message.

(10) A food business operator who contravenes this regulation shall be guilty of an offence.

Food recovery

13. (1) A recalling food business operator shall —

(a) ensure that the food recovered as a result of a food recall is stored in a secure area;

(b) separate the recalled food from any other food, pending action by the authorized officer;

(c) maintain accurate record of the food recovered as a result of the food recall; and

(d) have an accurate record system to ensure that all recalled food is accounted for.

(2) The recalling food business operator shall, with approval of the Minister, correct the defect or violation in the recalled food for the sole purpose of re-labelling or re-conditioning provided that to do so will bring the food into compliance with the Act.

(3) Where the re-labelling or re-conditioning authorized under subregulation (2) is not carried out within the prescribed time period, the Minister shall issue an instruction to the food business operator to destroy such food or order the destruction of the food by an authorized officer at the food business operator's expense.

(4) Where the recalled food needs to be disposed off, the recalling food business operator shall ensure the appropriate method of disposal or destruction of the food under the supervision of an authorized officer is followed in accordance with regulation 15 (3) (e).

(5) A food business operator who contravenes this regulation shall be guilty of an offence.

14. (1) During a food recall, the recalling food business operator shall carry out, at regular intervals, effectiveness checks to verify that all the downstream food business operators at the depth of recall specified by the food recall notification have received adequate information about the food recall and have taken the appropriate action.

Effectiveness
check

(2) The effectiveness of the food recall shall be assessed on the percentage of the food recovered, based on the amount of the same batch of food originally dispatched and sold.

(3) A food business operator who contravenes this regulation shall be guilty of an offence.

15. (1) The recalling food business operator shall submit, to the local status authority within its operational jurisdiction, regular food recall status reports of the food recall and the effectiveness of the food recall in accordance with Form F set out in the Schedule, and the frequency of the reports shall be determined by the relative urgency or gravity of the food recall specified or determined by the Ministry responsible for health.

Food recall
reports

(2) The reporting interval shall not exceed a period of 14 days.

(3) Unless otherwise specified by the Minister, the food recall status report shall contain the following information —

- (a) the number of downstream food business operators notified of the food recall and the date and method of notification;
- (b) the number of downstream food business operators that did not respond to the food recall communication and the quantity of food products dispatched or sold to downstream food business operators;
- (c) the number of food products returned or collected by each downstream food business operator that was contacted and the quantity of food products accounted for, recovered or received;
- (d) the number and results of effectiveness checks that were made;
- (e) proposed method of disposal or destruction of recalled food with the record of destruction;
- (f) the action proposed to be implemented in future to prevent reoccurrence of the problem; and
- (g) the estimated time frames for completion of the food recall.

(4) The submission of a food recall status reports to the local authority shall be discontinued when the food recall is formally terminated by the Minister on the advice of the Board.

(5) The food recall status reports submitted under subregulation (4) shall be consolidated and the authorized officer shall submit a status report on the effectiveness of the recall to the Minister in accordance with regulation 16 to effect termination of the recall.

(6) A food business operator shall maintain a complete documentation on the food recalls for inspection and verification by an authorized officer.

(7) Documentation on the food recalls shall be kept for a minimum period of seven years.

**Termination of
food recall**

16. (1) A recalling food business operator may request termination of a food recall by submitting a written request in accordance with Form G set out in the Schedule, to the Minister and the request shall be accompanied by the latest food recall status reports.

(2) A food recall shall be terminated when the Minister, after consultation with the Board, determines that it is reasonable to assume that the recalled food has been removed and that proper disposal or correction measures have been carried out.

(3) Where the Minister considers a food recall status reports unsatisfactory in accordance with regulation 15 (5); the Minister may, on the recommendation of the Board, consider further action against the recalling food business operator, such as inspections, seizures of the hazardous food or any legal action.

(4) A written notification that food recall has been terminated shall be issued by the Minister to the recalling food business operator, copied to a local authority or any other relevant Government agency.

(5) The completion of either an industry initiated food recall or Ministry initiated food recall does not preclude the Minister from taking further action against a recalling food business operator.

**Responsibilities
of authorized
officers**

17. (1) During a food recall an authorized officer shall supervise a food recall by a food business operator and shall inspect the food business operator's capacity to recall potentially hazardous or defective food after receiving a food recall alert notification.

(2) An authorized officer shall —

- (a) inspect potentially hazardous or defective food after receiving a complaint from a consumer and advise, if necessary, the food business operator to recall the food;
- (b) in food recalls involving complaints by consumers, liaise with the food business operator to prepare a press release for the approval by the Minister and immediate use by the media;
- (c) conduct audit checks selectively when a food business operator is unable to check the effectiveness of its food recall due to lack of records and procedure;
- (d) advise a food business operator, who has submitted an incomplete food recall plan, to make improvements to the food recall plan;
- (e) issue instructions to a food business operator on frequency of reporting the conditions of the food recall, subject to the urgency of each case, and monitor the food business operator's food recall progress;
- (f) supervise a food business operator in the completion of a food recall and assess the food business operator's food recall status;
- (g) offer follow-up guidance to a food business operator;
- (h) conduct periodic inspections to ascertain the extent of an accomplished food recall and file the relevant food recall information;
- (i) issue the necessary food recall press release;
- (j) monitor the effectiveness of the food recall alert notification and the correction or the removal of the recalled food from distribution in order to verify the appropriate means to dispose of the food and terminate the food recall;
- (k) ensure that food recalled under this regulation is destroyed and disposed off in an approved manner; and

- (l) where the recalled food is exported, liaise with exporting food business operator, and the Board in order to determine —
 - (i) the food recall plan for the exported food, and
 - (ii) the form of advice to be given to the appropriate health authorities of the country where the food was exported.

(3) The Minister shall keep a local authority or any other relevant Government agency informed on the conduct of an authorized officer in relation to the responsibilities provided for in this regulation and the a local authority or any other relevant Government agency shall be guided by any instructions that the Minister may issue.

18. (1) A person who contravenes the provisions of these Regulations shall be guilty of an offence and is liable — Offences and penalties

- (a) for a first offence to a fine not exceeding P1 000 to imprisonment for a term not exceeding three months, and where the offence is a continuing offence, to an additional fine not exceeding P500 for each day on which the offence continues up to a maximum of P5 000; and
- (b) for a second or subsequent offence, to a fine not exceeding P5 000 or to imprisonment for a term not exceeding six months.

(2) A court may, on the conviction of any person for an offence under these Regulations, in addition to any other penalty it may impose, cancel or suspend any licence or permit issued to that person which is relevant to the offence committed.

SCHEDULE

FORM A
(reg. 8 (1))

FOOD RECALL ALERT NOTIFICATION FORMAT
(To be given on recalling industry's letterhead)

To
Local Authorities/Ministry of Health and Wellness

1. Name and Address of the Recalling industry	
2. Name, designation and Contact details of person who should be contacted	
3. Identity of the Product (brand, code, type, etc.)	
4. Reason for recall	
5. Date and circumstances under which product deficiency was discovered	
6. Evaluation of the risk involved with deficiency (if any testing done, results should be indicated)	
7. Total amount of product produced	
8. Time span of production	
9. Total amount of product in distribution channels	
10. Detailed distribution Information (level of distribution, No. of direct accounts, Identity of direct accounts if possible)	
11. Copy of recall communication (if already issued otherwise proposed communication)	
12. Action already taken and proposed strategy for recall	
13. Any other relevant information	

*Please attach extra sheets if space is insufficient

Signature and title

Date

(Recalling Food Business Operator)

FORM B
(reg. 8 (3) (a))

FOOD RECALL NOTIFICATION FORMAT
(To be given by the Ministry of Health and Wellness)

Date: _____

To
<Responsible Official>
Recalling Food Business Operator

Ref: Your food recall alert notification No. _____ dated _____

Dear _____

Based on the information provided in your above referred food recall alert notification, the Minister of Health has made the following determination and direct you to immediately recall the product from market. The Minister may also be kept apprised of the status till termination of recall.

Recall Reference Code: _____

Ministry of Health

Contact: _____ Phone: _____ Email: _____

Product Brand: _____ Product code: _____

Violation involved in the product: _____

Health Hazard classification of the product: _____

Suggested recall plan for the product: _____

Food safety alert (required or not required) _____

(if yes, the content of warning and media to be used for such warning)

Period/Interval for submission of Recall Status Report: _____

If you have further questions, please do feel free to contact us. Thank you for your assistance.

Signature and title

date

(Ministry of Health)

FORM C
(reg. 9 (2) (b))

FOOD RECALL INITIATION INSTRUCTION FORMAT
(To be given by the Ministry of Health)

Date: _____

To
<Responsible Official>
Recalling Food Business Operator

Re: Food Recall Instruction

Dear _____

Based on our findings, the Ministry of Health and Wellness has made the following determination and hereby directs you to immediately recall the following food from the market:

You are also required to appraise the ministry on the steps that you plan to take or you have already taken with regard to this food recall initiation instruction.

Recall Reference Code: _____

Ministry of Health and Wellness

Contact: _____ Phone: _____ Email: _____

Food Brand: _____ food code: _____

Violation involved in the food: _____

Health Hazard classification of the food: _____

Suggested recall plan for the food: _____

Food safety alert (required or not required) _____

(if yes, the content of warning and media to be used for such warning)

Period/Interval for submission of Recall Status Report: _____

If you have further questions, please do feel free to contact us.

Signature and title

date

(Ministry of Health and Wellness)

FORM D
(reg. 11 (1) (b))
Recall plan checklist

Recall Team and Preliminary Steps

Action	Initiated	Completed	Not Done
Food recall team selected & organized			
Food Recall Coordinator selected			
Phone list given to all team members			
Team Spokesperson selected & trained			
Communicate with department. managers about plan & food recall team's upcoming tour			
Food recall team tours company facilities & consumer sites & makes recommendations			
Prioritise risks and findings from tour as 'high', 'medium,' or 'low'			
Solicit suggestions for improvements			
Assess employee and department. management morale, commitment to improvements			
Laws & guidelines reviewed			
• Food tracking system reviewed			
• For receiving			
• For manufacturing			
• For distribution			
Approve templates of letters, news releases, other documents			
Internal contact list prepared			
Consumer/downstream food business operator contact list made			

Food recall Decision

Action	Initiated	Completed	Not Done
Food recall team notified of problem			
Food recall team briefed by legal counsel			
Department. managers briefed on problem and asked for input			

Department. managers submit records to team			
Risk evaluated			
Decision made to initiate a –			
• Stock recovery			
• Market withdrawal			
• food recall			
If decision is internal, Ministry of Health is notified			
Team Spokesperson prepares information for public release			
Team and legal counsel approves information for public release			

Immediate actions

Action	Initiated	Completed	Not Done
Food production halted			
Internal investigation begun to determine cause or source			
Food in warehouse secured			
Receptionists, administration briefed on what to tell incoming callers & what info to obtain from them			
Update website with recall information			

Information gathered

Action	Initiated	Completed	Not Done
Identity of food			
Establish use of reworked or blended ingredients & their suppliers			
Food package size(s)			
Food code number(s)			
Production dates			
Quantity per Code Date			
Quantity in controlled warehouses			
Quantity shipped to consumers			
Quantity unaccounted for			

Notification to outside groups of the Food Business Operator

Action	Initiated	Completed	Not Done
Wholesale distributors notified by phone/facsimile/e-mail			
Wholesale distributors notified by mail			
Retailers notified by phone/facsimile/e-mail			
Retailers notified by mail			
Ministry of Health approves news release copy			
News releases sent to media list			
News releases sent to other pertinent contacts			
Sales representatives instructed on food recall procedures			
Point-of-sale info prepared for Sales representatives to deliver to retail consumers			
Continue to update website as needed			

Product Disposal and destruction

Action	Initiated	Completed	Not Done
Company and lead agency agree on collection and Disposal and destruction of recalled food			
Decisions made about refund or exchange policies			
Wholesalers informed of food disposal and destruction			
Retailers informed of food disposal and destruction			
Consumer service briefed on refund policy			
Warehouse prepared to receive food			
Warehouse isolating returned food			

Effectiveness checks

Action	Initiated	Completed	Not Done
Ministry of Health effectiveness Check Level established			
Effectiveness checks begin			
Finish date established			

Review/evaluate effectiveness Checks			
Prepare effectiveness checks summary			

Food recall termination

Action	Initiated	Completed	Not Done
Team undertakes review of food recall			
Food recall officially concluded			
Ministry of Health notified of food recall completion			
Team receives written confirmation from Ministry of Health of food recall completion			
Announcement (and thanks, as needed) to consumers about successful end of recall			
Update website; notify news media for follow-up if necessary			

Final steps

Action	Initiated	Completed	Not Done
Food recall Team assembles all documents			
Team reviews all procedures and makes recommendations to senior management			
Team decides on exact cause of problem			
Team Coordinator writes summary report			
Necessary corrections made			
Final report reviewed; presented to senior management			

FORM E
(reg. 11 (3) and reg. 12 (6))

FOOD RECALL COMMUNICATION FORMAT
(To be given on Recalling Food Business Operator letterhead)

Facsimile/Letter template

To:

All downstream food business operators of Recalled Food Product
(Distributors/Wholesalers/Retailers/Restaurants)

URGENT!

FOOD RECALL (should be in bold red type)

Recall Reference Code: _____

Date: _____

Our industry is voluntarily recalling _____ (Food Product) due to (reason for food recall). It may not meet company quality standards, and/or may represent a small/moderate/serious (CHOOSE one word) health or safety threat to people who use it. Please follow these instructions to ensure a successful recall:

*Immediately discontinue selling or distributing your existing stock of (brand, name, code of product, package size etc).

*Inform us of the quantity of product you have on hand by completing the bottom portion of this form. Sign the form and return it by FAX to (FAX No.) as soon as possible.

*DO NOT dispose off this product! Instead: (Choose one of the two options)
(Wait for further instructions from (their sales representative)) OR
(Return the recalled product to (name of industry's contact person) as soon as possible).

If you have distributed any of the recalled products, please immediately:
Contact your downstream business operators by telephone and in writing to advise them about the recall.

Instruct them to return their unused, undestroyed stock to (recalling industry or supplier).
Instruct them to also notify any of their downstream food business operators, which may have received the recalled product.

Thank you for your cooperation. If you have any questions regarding this recall, please feel free to contact --

_____ (Food Business Operator's contact person) at
_____ (phone).

Sincerely,
(Recalling Food Business Operator representative)

Consumer's Name: _____

Quantity On Hand: _____ cases/cans/packages (Circle one)

Owner's Name – Please Print

Owner's Signature

FORM F
(reg. 15 (1))

FOOD RECALL STATUS REPORT FORMAT
(To be given on Food Business Operator's letterhead)

Date: _____

Recall Reference Code: _____

Food Brand: _____ Food code: _____ Date: _____

Local Authorities Contact: _____ Phone: _____

Email Address: _____

Dear: _____

(Recalling Food business Operator) hereby submits the following recall Status report regarding the above-listed product.

1. Notification

Total number of downstream food business operators identified: _____

Number of downstream operators notified: _____

Method of notification (check all that apply):

Letter _____

Phone _____

Facsimile _____

Email _____

Other ___ (specify) _____

2. Downstream business operator response

Total number of downstream food business operators responding: _____

Total number of downstream food business operators not responding: _____

Total quantity of products dispatched at Non-responding downstream food business operators

Number/amount of product returned by each downstream food business operators:

Downstream food business operators 1 _____

Downstream food business operator 2 _____

Downstream food business operator 3 _____

Downstream food business operator 4 _____

Downstream food business operator 5 _____

Quantity of food accounted for: _____

3. Effectiveness Checks

Total number required: _____

Total number completed: _____

Completion date: _____

4. Estimated food recall completion date: _____

5. Proposed method of disposal of recovered stock/record of destruction:

6. Actions proposed to avoid recurrence in future:

Please let us know if you require additional information.

Sincerely,

Signature and title

Date

(Recalling industry)

FORM G
(reg. 16 (16))

FOOD RECALL TERMINATION REQUEST FORMAT
(To be given on Recalling Food Business Operator's letterhead)

Date: _____

To
The Minister of Health and Wellness/Local Authorities

C Recall Reference Code: _____

Food Brand: _____ Food code: _____ Date: _____
Local Authorities: _____ Phone: _____ Email: _____

Ref: Request for food recall termination

Dear _____

_____ (name of recalling Food Business Operators) initiated a Class _____ recall of the above-listed product on _____ (date) that extended to the ___ level. Proper downstream food business operator's notification was made by phone, facsimile, email, mail and personal visits, and records of these notifications have been provided to your office.

An Effectiveness Check Level of _____ was assigned to this product. _____ (name of recalling Food Business Operator) therefore contacted a total of _____ downstream food business operators, _____ of which replied with the requested information.

All requested status reports have been filed within the proper timeframes, and the latest report is being submitted with this request. _____ (recalling Food Business Operator) believes the above-listed product has been successfully recalled in accordance with the recall strategy (reviewed and approved by Ministry of Health) requirements.

ADD Additional data here if necessary.

In light of this successful and conscientiously executed food recall, _____ (recalling Food Business Operator) hereby request that this food recall be terminated, and that _____ (Recalling industry) be provided with written confirmation of the termination.

If you have further questions, please do feel free to contact us. Thank you for your assistance.

Signature and title

Date

(Recalling Food Business Operator)

MADE this 6th day of December, 2018.

DR. ALFRED MADIGELE,
Minister of Health and Wellness.