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ADVISORY NOTE 2-2022
Date: 15 November 2022

ADVISORY NOTE TO SUPPLIERS OF GOODS (WHOLEASALERS, IMPORTERS AND MANUFACTURERS)

The information contained in this Advisory Note is a summary of some of the key aspects and obligations of suppliers under the Fair Trading (Consumer Protection) (Product Labelling and Trade Description) Regulations, 2022 and is issued as a general overview thereof. Due to limitations in length of this note, many parts of the Regulations have not been covered. Suppliers are advised to consult the Regulations itself and this Note should not be treated as a substitute for legal advice.

Subject: Compliance with the Fair Trading (Consumer Protection) (Product Labelling and Trade Description) Regulations, 2022.

All goods intended to be imported into the Republic of Seychelles for the purposes of sale shall comply with the labelling and trade description requirements categories as detailed in the Schedule.

1. **Requirements of label and trade description**

   Any Label and trade description that is applied to goods shall be in English, French or Creole. It must be clearly visible on the good, be in a reasonable font size that is clearly readable.

   Mandatory information must be presented in a manner that is readable, difficult to remove where appropriate and not hidden or covered from or any other written or other matter. It should not require that consumers have to open the product to access the information.

2. **Mandatory Information:**

   (i) Labelling requirements for Pre-Packed Food, Processed Food, Beverages and Alcohol —

   The label/trade description must display;

   i) Name of the food;
   (ii) List of ingredients;
   (iii) Any substitute ingredients;
   (iv) Allergen information;
   (v) Quantity of ingredients or the category of ingredients;
   (vi) Net Quantity;
   (vii) Shelf Life;
   (viii) Storage conditions;
   (ix) Name and address of manufacturer/supplier;

(x) Preparation instructions (if applicable);
(xi) The country in which they were manufactured, produced or adapted*;
(xii) Additional labelling information may be required under the Food Labelling Regulation.

In cases such as pre-packed food, processed food, beverages and alcohol, the information should be disclosed — on the container or on a label attached to the food; or on a notice, ticket or label that is visible to an intending purchaser at the place where the intending purchaser chooses that food.

(ii) Labelling requirements for Non-Pre-Packaged

The label/trade description must display;

i) Name of the food;
(ii) Presence of any allergens which includes **celery, cereals containing gluten** (such as barley and oats), **crustaceans** (such as prawns, crabs and lobsters), **eggs, fish, lupin, milk, molluscs** (such as mussels and oysters), **mustard, peanuts, sesame, soybeans, sulphur dioxide and sulphites** (if they are at a concentration of more than ten parts per million) and **tree nuts** (such as almonds, hazelnuts, walnuts, brazil nuts, cashews, pecans, pistachios and macadamia nuts).

(iii) Labelling Requirements for Non-Food products

The label/trade description must display;

(i) Name of the good;
(ii) The composition or contents of any goods;
(iii) Name and address of manufacturer/supplier;
(iv) Instructions for use (if applicable);
(v) Any goods being the subject of any patent, privilege or copyright;
(vi) Safety instructions;
(xiii) The country in which they were manufactured, produced or adapted*

3. Exemption from regulations

These Regulations do not apply to —

(a) goods so small in size that labelling is not reasonably possible;
(b) foods consisting of a single ingredient, where the name of the food is the same as the ingredient;

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(c) the name of the food that enables the nature of the ingredient to be clearly identified;
(d) fresh fruit, vegetables and fish which have not been processed, peeled, cut or similarly treated;
(e) goods that are packaged in such a manner that the product contents are visible and identifiable;
(f) goods exempted under any other written law.

4. Definitions

"Pre-packaged food" means food that is packaged before being offered for sale and does not include food packaged upon request or at the counters.

"Processed food" means any food that has been altered in some way during preparation either through **freezing, canning, baking, drying** and includes but is not limited to, breakfast cereals, cheese, tinned vegetables, bread, savoury snacks; such as crisps, fish products; such as sardines, meat products; such as bacon, sausage, ham, salami and paté, convenience foods such as microwave meals or ready meals, cakes and biscuits

"Non pre-packaged food" means food that is packaged upon request or at the counters.

"The country in which they were manufactured, produced or adapted"

(1) That a locally manufactured product using imported material must state "Made in Seychelles from imported materials";
(2) if after such goods have been reconditioned, adapted, rebuilt or remade, whether in the Republic or elsewhere, a trade description is applied to such goods stating clearly that such goods have so been reconditioned, adapted, rebuilt or remade, as the case maybe;
(3) if the goods were entirely made or assembled in the Republic, a trade description is applied to such goods stating "Made in Seychelles."

Suppliers are encouraged to carefully review activities and procedures to ensure compliance with the provisions of the FTA, 2022.

Mrs Natalie Edmond
Deputy Chief Executive Officer

VISION 2033