



LEGAL ALERT

THE PROHIBITION OF PRODUCTION, SELLING AND IMPORTATION OF NON-FORTIFIED FOODSTUFFS

The prohibition on the production, selling and importation of non-fortified processed foodstuffs derives from the Regulation of Fortification of Foodstuffs with Industrially Processed Micronutrients (“Regulation”), approved by Decree no. 9/2016, of April 18¹.

Under this Regulation, it is mandatory to (i) fortify wheat flour, maize flour², food oil, sugar and salt for human and animal consumption (“fortified foodstuffs”), which must be produced, sold and imported in accordance with the Mozambican Standards (*Normas Moçambicanas*/NM) in force³, as well as (ii) to affix the logo and seal of fortification, along with the indication of the chemical composition of the fortified foodstuffs.

In accordance with the referred legal instrument, the National Inspection of Economic Activities (*Inspecção Nacional das Atividades Económicas*/INAE) announced on 19 June 2017, a ban on the importation of non-fortified foodstuffs, nonetheless allowing the products that are already on the market (with reference to such date⁴) to continue to be sold until the stock is disrupted.

The NM applicable to each fortified foodstuff establish the model of the logos to be inserted on the respective food label, and the National Institute for Standardization and Quality (*Instituto Nacional de Normalização e Qualidade*/INNOQ) must approve this label. INAE will award the fortification seals for the fortified foodstuffs already in stock in

¹ In force since mid-October 2016.

² In the case of maize flour, fortification is not mandatory whenever it is produced by small-scale mills which provide milling services exclusively for family consumption.

³ The technical specifications of the food vehicles provided for in the Regulation are defined according to the following NM: NM5 (maize flour), NM7 (wheat flour), NM425 (food oil), NM110 (sugar) and NM9 (salt).

⁴ Of 19 June 2017.



Mozambique that do not yet comply with the rules established in the Regulation.

Producers, traders and importers, but also (and why not) consumers should be aware that the enforcement of compliance with the Regulation is of INAE's competence, without prejudice to the intervention of the National Committee for Food Fortification of Mozambique (*Comité Nacional para a Fortificação de Alimentos de Moçambique/CONFAM*) created through Ministerial Diploma no. 77/2013, of 21 June, whose general objective is to coordinate, regulate, supervise and monitor nationwide food fortification actions. It should also be noted that the CONFAM shall be composed of representatives of various public and private sector institutions (especially in the area of food production and distribution), the academy of science, the civil society and the development partners, and that all public, private and civil institutions interested in the food fortification area may join or be a member if its objectives are common to that of CONFAM and provided that there are no conflicts of interest.

Nipul K. Govan | ngovan@hrlegalcircle.com
Mara Rupia Lopes | mrlopes@hrlegalcircle.com