

FOOD - GENERAL GUIDELINES

These Guidelines are for the interest of the General Public, and in particular, food and beverage industries in Nigeria. It is necessary to emphasize that no Processed Food shall be manufactured, imported, exported, advertised, sold or distributed in Nigeria unless it has been registered in accordance with Provisions Of Decree 19 of 1993 as amended by Food, Drugs and Related Products (Registration) Decree No. 20 of 1999.

Guidelines for Prospective Agents of Foreign Manufacturers of Regulated Products



Again, it needs to be emphasized that it is unlawful to import into Nigeria any regulated product not duly registered by NAFDAC. Agents of foreign manufacturers are to take the necessary steps to ensure that regulated products intended for the Nigerian market are registered before consignments of such products are imported into the country. In the event of any violation in this regard, the consignment of the unregistered product would be cleared from the ports to a bonded warehouse at the expense of the importer. Thereafter the importer is prosecuted and the products forfeited to the Government together with any assets or property obtained or derived directly or indirectly from the commission of the offence. As in the case of locally manufactured products, the Agency will normally authorize the importation of small quantities of unregistered products for the purpose of submission as samples for registration. A written authorization specifying the quantity of the unregistered products to be imported can be obtained from the Registration Division of NAFDAC at the Federal Secretariat, Phase II, 2nd and 5th Floors, Ikoyi, Lagos. On arrival of the imported samples and presentation of the authorization to the NAFDAC inspectors at the ports, the consignment will be treated the same way as other normal imported consignments. Before the consignment is therefore cleared from the ports, the importer is required to present the following:-

- Authorization to import samples of the unregistered product.
- Bank-draft for the prescribed port inspection fees.
- Properly completed Customs Bill of Entry
- Certificate of Analysis of the product issued by the manufacturer.
- Certificate of Manufacture and Free Sale issued by a Government Authority empowered by law in the country of origin to exercise regulatory control over the product.

In order to conform with labeling regulations, the imported sample has to carry the following information:

- Full Name of the Manufacturer.
- Full location address of the manufacturer
- Name of the Product (brand and generic names where applicable)
- Date of Manufacture
- Expiry Date or Best Before Date
- Batch Number
- Direction for storage and use.

It is at this stage that the Registration Form is procured on payment of appropriate fees, and when duly completed, it is submitted to the Registration Division along with the samples and other documents as specified in the Form. A very important document among the requirements is the Notarized Power of Attorney granted by the foreign product manufacturer to the domiciled agent in Nigeria. The completion and submission of the form marks the beginning of the actual registration process. The registration process now proceeds in the same manner as for locally manufactured products and in this regard, the following are all relevant.

Food - Registration Procedure

An application for the registration of processed Food shall be made by the manufacturer.

In case of a manufacturer outside Nigeria, such shall be represented in Nigeria by a duly registered company or individual with facilities to effect a recall of the product when necessary.

An applicant for a manufacturer outside Nigeria must file evidence of Power of Attorney from the manufacturer which authorizes him to speak for his principal on all matters relating to the latter's specialties. The original Power of Attorney is to be notarized and submitted to NAFDAC. NOTE The representative in Nigeria, whether a corporate body or an individual with the Power of Attorney, will be responsible for ensuring that the competent authority in the country is informed of any serious hazard newly associated with a product imported under the provisions of the decree or of any criminal abuse of the certificate in particular, to the importation of falsely labeled, spurious, unwholesome, or sub-standard processed foods.

The manufacturer, in the case of imported processed foods, must show evidence that the he or she is licensed to manufacture the product(s)

for sale in the country of origin (Manufacturer's Certificate). Such evidence must be by the competent Health Authority of the country of manufacture, and shall be authenticated by the Nigerian Mission in that Country.

Food - Local Registration

- Application for registration of Processed Foods should be accompanied with a Bank Draft payable to NAFDAC covering the prescribed fees for Pre-production inspection.
- The Pre-production inspection is carried out to assess if manufacturing facilities, personnel and location of plant are satisfactory.
- Registration procedure is halted at this stage if the facilities, etc are not satisfactory.
- If successful, a certificate of Recognition as a producer of the product is issued to the company. This enables the producer to go ahead and get the product registered.
- Purchase of product registration form with the prescribed fee payable in Bank Draft.
- Pre-registration inspection and sampling of product for NAFDAC Laboratory analysis are also undertaken.

Final vetting of reports and preparation of briefs for consideration by the Food & Drug Registration Committee are carried out by the Agency.